MANUEL PEREIRA;

OR,

The Sovereign Rule of South Carolina.

WITH VIEWS OF

SOUTHERN LAWS, LIFE, AND HOSPITALITY.

BY F. C. ADAMS.

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INTRODUCTION.

Our generous friends in Georgia and South Carolina will not add among their assumptions that we know nothing of the South and Southern life. A residence of several years in those States, a connection with the press, and associations in public life, gave us opportunities which we did not lose, and have not lost sight of; and if we dipped deeper into the vicissitudes of life and law than they gave us credit for at the time, we trust they will pardon us, on the ground of interest in the welfare of the South.

Perhaps we should say, to support the true interests of the South, we should and must abandon many of those *errors* we so strenuously supported in years past; and thus we have taken up the subject of our book, based upon the practical workings of an infamous law, which we witnessed upon the individual whose name forms a part of the title.

Imprisoning a shipwrecked sailor, and making it a penal offence for a freeman to come within the limits of a republican State, whether voluntarily or involuntarily, seems to be considered commonplace, instead of barbarous, in South Carolina. This may be accounted for by the fact that the power of a minority, created in wrong, requiring barbarous expedients to preserve itself intact, becomes an habitual sentiment, which usage makes right.

This subject has been treated with indifference, even by the press, which has satisfied itself in discussing the abstract right as a question of law, rather than by disclosing the suf-

ferings of those who endure the wrong and injustice. When we are called upon to support, and are made to suffer the penalty of laws founded in domestic fear, and made subservient to various grades of injustice, it becomes our duty to localise the wrong, and to point out the odium which attaches to the State that enacts such laws of oppression.

A "peculiar institution" absorbs and takes precedence of every thing; its protection has become a sacred element of legislative and private action; and fair discussion is looked upon as ominous, and proclaimed as incendiary. But we speak for those who owe no allegiance to that delicate institution; citizens to all intents and purposes (notwithstanding their dark skins) of the countries to which they severally belong; peaceable persons, pursuing their avocations, to provide a respectable maintenance for their families, and worthy of the same protective rights claimed by the more fortunate citizens of such countries. In doing this we shall give a practical illustration of the imprisonment of four individuals in South Carolina, and ask those who speculate in the abstract science of State sovereignty, to reflect upon the issue of that lamentable injustice which inflicts punishment upon persons guiltless of crime. We prefer to be plain, and we know our Southern friends will not accuse us of misconstruction, for we have their interests at heart, as well as the cause of humanity, which we shall strive to promote, in spite of the struggles of modern barbarism, seeking to perpetuate itself. Fear, the inventor of such pretexts as are set up, and mantled in Southern modesty, must remodel its code for South Carolinians, before it can assert a power unknown to law, or trample upon the obligations of treaty, or enforce nullification of individual rights.

CHARLESTON, *S. C., July* 17, 1852.

MANUEL PEREIRA.

CHAPTER I.

THE UNLUCKY SHIP.

THE British brig Janson, Thompson, master, laden with sugar, pimento, &c. &c. left Kingston, Jamaica, in the early part of March, in the present year, bound for Glasgow. The skipper, who was a genuine son of the "Land o' Cakes," concluded to take the inside passage, and run through the gulf. This might have been questioned by seamen better acquainted with the windward passage; but as every Scotchman likes to have his own way, the advice of the first officer—an experienced salt in the West India waters—went to leeward. On rounding Cape Antoine, it was evident that a strong blow was approaching. The clouds hung their dark curtains in threatening blackness; and, as the sharp flashes of lightning inflamed the gloomy scene, the little bark seemed like a speck upon the bosom of the sea. It was the first mate's watch on deck. The wind, then blowing from the W. S. W., began to increase and veer into the westward; from whence it suddenly chopped into the northward. The mate paced the

quarter wrapt in his fearnought jacket, and at every turn giving a glance aloft, then looking at the compass, and again to the man at the wheel, as if he had an instinct of what was coming.

He was a fearless navigator, yet, like many others who had yielded to the force of habit, was deeply imbued with that prevalent superstition so common to sailors, which regards a particular ship as unlucky. Imagine an old-fashioned boatswain, with north-country features strongly marked, a weather-beaten face, and a painted south-wester on his head, and you have the "*Mister Mate*" of the old brig Janson.

"Keep her full, my hearty. We must take in our light sails and go on the other tack soon. If we don't catch it before daylight, I'll miss my calculation. She's an unlucky old craft as ever I sailed in, and if the skipper a'n't mighty careful, he'll never get her across. I've sworn against sailing in her several times, but if I get across in her this time, I'll bid her good-by; and if the owners don't give me a new craft, they may get somebody else. We're just as sure to have bad luck as if we had cats and parsons aboard."

Thus saying, he descended the companion-way, and reported the appearance of the weather to the skipper, who arose quickly, and, consulting his barometer, found it had fallen to near the lowest scale. After inquiring the quarter of the wind, and how she headed, what sail she was carrying, and the probable distance from the cape, he gave orders to call all hands to take in the topgallant-sails, double reef the fore, and single reef the maintop-sails, and stow the flying-jib—dressed himself, and came on deck. Just as he put his head above the slide of the com-

panion, and stopped for a minute with his hands resting upon the sides, a vivid flash of lightning hung its festoons of fire around the rigging, giving it the appearance of a chain of livid flame.

"We'll catch the but-end of a gulf sneezer soon. Tell the boys to bear a hand with them sails. We must get her snug, and stand by to lay her under a double-reefed maintop-sail and jib, with her head to the northward and eastward. We may make a clear drift—chance if it lasts long," said Skipper Thompson, as he stood surveying the horizon and his craft. Scarcely had he given the orders before the storm burst upon them with all its fury. Its suddenness can only be appreciated by those who have sailed in the West India passages, where the sudden shocks of the short-chopping sea acts with a tremendous strain upon the hull of a heavy-laden vessel. The captain ran to the windward gangway, hurrying his men in the discharge of their duty, and giving another order to clew up the coursers and foretop-sail. Just as the men had executed the first, and were about to pull on the clew-lines of the latter, a sudden gust took effect upon the bag of the sail and carried it clean from the bolt-ropes. The halyards were lowered and the yards properly braced up, while the Janson was brought to under the canvas we have before described. In a few minutes more the wind had increased to a gale, and, as the sailors say, several times the old craft "wouldn't look at it." Several times we had to put her helm up, and as many times she shipped those forcing cross seas which drive every thing before them, and sweep the decks. At length a piece of canvas was lashed to the fore-rigging which gave her a balance, and she rode easy until

about five o'clock in the morning, when by a sudden broach the canvas was carried away, and a tremendous sharp sea boarded her forward; starting several stanchions, carrying away part of her starboard bulwark and rail, and simultaneously the foretop-gallant-mast, which snapped just above the withe. As a natural consequence, every thing was in the utmost confusion—the old hull worked in every timber. The wreck swayed to and fro, retarding the working of the vessel and endangering the lives of those who attempted to clear it from obstruction. Thus she remained for more than half an hour, nearly on her beam-ends, and at the mercy of each succeeding sea that threatened to engulf her.

As daylight broke, the wind lulled, and, as usual in those waters, the sea soon ran down. Enabled to take the advantage of daylight, they commenced to clear away the wreck. In the mean time it was found necessary to remove the fore-hatch in order to get out some spare sails that had been stowed away near the forward bulkhead, instead of a more appropriate place. The mate, after trying the pumps in the early part of the gale, reported that she had started a leak; which, however, was so trifling as to require but one man to keep her free, until she broached, and carried away her topgallant-mast. The man on duty then reported the water increasing, and another was ordered to assist him. On an examination in the morning, it was found that she was strained in the fore-channels, and had started a but.

"She's an unlucky concern, skipper," said the mate as he brought the axe to take the battens off the fore-hatch. "A fellow might as well try to work a crab at low tide as to keep her to it in a blow like that.

She minds her helm like a porpoise in the breakers. Old Davy must have put his mark upon her some time, but I never know'd a lucky vessel to be got as she was. She makes a haul on the underwriters every time she drifts across; for I never knew her to sail clear since I shipped in the old tub. If she was mine, I'd find a place for her at somebody's expense."

The sea became smooth, the water was found to have receded, the wind, light, had hauled to W. S.W., and Cape Antoine was judged by dead reckoning to bear S. S.W. about thirty miles distant. The larboard fore-shrouds were found to have been scorched by the lightning, which had completely melted the tar from the after-shroud. All hands were now busily employed repairing the wreck, which by two o'clock P. M. they had got so far completed as to stand on their course in the gulf, at the rate of six knots an hour.

The skipper now consulted in his mind as to the expediency of making for Havana or proceeding on his cruise. The leak had materially diminished, and, like all old vessels, though she gave a good portion of work at the pumps, a continuation of good weather might afford an opportunity to shove her across. Under these feelings, he was inclined to give the preference to his hopes rather than yield to his fears. He considered the interest of all concerned—consulted his mate, but found him governed by his superstition, and looking upon the issue of his life about as certain whether he jumped overboard or "stuck by the old tub." He considered again the enormous port-charges imposed in Havana, the nature of his cargo in regard to tariff, should his vessel be condemned, and the ruinous expenses of discharging, &c. &c. together with

the cost of repairs, providing they were ordered. All these things he considered with the mature deliberation of a good master, who has the general interests of all concerned at heart. So, if he put away for a port, in consideration of all concerned, his lien for general average would have strong ground in maritime law; yet there were circumstances connected with the seaworthy condition of the craft—known to himself, if not to the port-wardens, and which are matters of condition between the master and his owners—which might, upon certain technicalities of law, give rise to strong objectionable points. With all these glancing before him, he, with commendable prudence, resolved to continue his voyage, and trust to kind Providence for the best.

"Captain," said the mate, as he stood viewing the prospect, with a marlinespike in one hand and a piece of seizing in the other—"I verily think, if that blow had stuck to us two hours longer, the old tub would a' rolled her futtocks out. Ye don't know her as well as I do. She's unlucky, anyhow; and always has been since she sot upon the water. I've seen her top-sides open like a basket when we've been trying to work her into port in heavy weather: and a craft that won't look nearer than nine points close-hauled, with a stiff breeze, ought to be sent into the Clyde for a coal-droger. An old vessel's a perfect pickpocket to owners; and if this old thing hasn't opened their purses as bad as her own seams, I'll miss my reckonin'. I've had a strong foreknowledge that we wouldn't get across in her. I saw the rats leaving in Jamaica—taking up their line of march, like marines on the fore. It's a sure sign. And then I'd a dream, which is as sure as a mainstay—never deceives me. I can

depend on its presentiment. I have dreamed it several times, and we always had an awful passage. Twice we come within a bobstay of all goin' to Old Davy's store-house. I once escaped it, after I'd had my mysterious dream; but then I made the cook throw the cat overboard just after we left port, and 'twas all that saved us."

Thus saying, he went forward to serve a topgallant-stay that was stretched across the forecastle-hatch from the cat-heads, and had just been spliced by the men, followed by an old-fashioned sea-urchin, a miniature of the tar, with a mallet in his hand. The captain, although a firm, intelligent man, and little given to such notions of fate as are generally entertained by sailors, who never shake off the spiritual imaginings of the forecastle, displayed some discomfiture of mind at the strong character of the mate's misgivings. He knew him to be a good sailor, firm in his duty, and unmoved by peril. This he had proved on several occasions when sailing in other vessels, when the last ray of hope seemed to be gone. He approached the mate again, and with a pretence of making inquiries about the storage of the cargo, sounded him further in regard to his knowledge of the Bahamas, and with special reference to the port of Nassau.

"Six-tenths of her timbers are as rotten as punk," said the mate; "this North-American timber never lasts long; the pump-wells are defective, and when we carry sail upon her, they don't affect the water in the lee bilge, and she rolls it through her air-streaks like a whale. She'll damage the best cargo that ever floated, in that way. Take my word for it, skipper, she'll never go across the Banks; she'll roll to splinters

as soon as she gets into them long seas; and if we get dismasted again, it's gone Davy."

"I know the old scow before to-day, and wouldn't shipped in her, if I hadn't been lime-juiced by that villanous landlord that advanced me the trifle. But I seen she was as deep as a luggerman's sand-barge, and I popped the old cat overboard, just as we rounded the point coming out o' Kingston harbour," said a fine, active-looking sailor, who bore every trait of a royal tar, and boasted of serving five years in the East-India service, to his shipmate, while he continued to serve the stay. His words were spoken in a whisper, and not intended for the captain's ears. The captain overheard him, however; and, as a vessel is a world to those on board, the general sentiment carries its weight in controlling its affairs. Thus the strong feeling which prevailed on board could not fail to have its effect upon the captain's mind.

"Well, we'll try her at any rate," said the captain, walking aft and ordering the cabin-boy to bring up his glass; with which he took a sharp look to the southward.

"I'd shape her course for a southern Yankee port. I haven't been much in them, but I think we'll stand a better chance there than in these ports where they make a speculation of wrecking, and would take a fellow's pea-jacket for salvage." "We're always better under the protection of a consul than in a British port," said the mate, coming aft to inform the skipper that they had carried away the chains of the bobstay, and that the bowsprit strained her in the knight-heads.

CHAPTER II.

THE STEWARD'S BRAVERY.

During the worst of the gale, a mulatto man, with prominent features, indicating more of the mestino than négro character, was moving in busy occupation about the deck, and lending a willing hand with the rest of the crew to execute the captain's orders. He was rather tall, well formed, of a light olive complexion, with dark, piercing eyes, a straight, pointed nose, and well-formed mouth. His hair, also, had none of that crimp so indicative of negro extraction, but lay in dark curls all over his head. As he answered to the captain's orders, he spoke in broken accents, indicating but little knowledge of the English language. From the manner in which the crew treated him, it was evident that he was an established favourite with them as well as the officers, for each appeared to treat him more as an equal than a menial. He laboured cheerfully at sailor's duty until the first sea broke over her, when, seeing that the caboose was in danger of being carried from the lashings, and swept to leeward in the mass of wreck, he ran for that all-important apartment, and began securing it with extra lashings. He worked away with an earnestness that deserved all praise; not with the most satisfactory effect, for an angry sea immediately succeeding completely stripped the furnace of its woodwork, and in its force

carried the gallant fellow among its fragments into the lee-scuppers, where he saved himself from going overboard only by clinging to a stanchion.

The second mate, a burly old salt, ran to his assistance, but, before he reached him, our hero had recovered himself, and was making another attempt to reach his coppers. It seemed to him as much a pending necessity to save the cooking apparatus as it did the captain to save the ship.

"He no catch me dis time," said he to the mate, smiling as he lifted his drenched head from among the fragments of the wreck. "I fix a de coffee in him yet, please God."

After securing the remains of his cooking utensils, he might be seen busily employed over a little stove, arranged at the foot of the stairs that led to the cabin. The smoke from the funnel several times annoyed the captain, who laboured under the excitement consequent upon the confusion of the wreck and peril of his vessel, bringing forth remonstrances of no very pleasant character. It proved that the good steward was considering how he could best serve Jack's necessities; and while they were laboring to save the ship, he was studiously endeavoring to anticipate the craving of their stomachs. For when daylight appeared and the storm subsided, the steward had a bountiful dish of hot coffee to relieve Jack's fatigued system. It was received with warm welcome, and many blessings were heaped upon the head of the steward. A good "*doctor*" is as essential for the interests of owners and crew as a good captain. So it proved in this instance, for while he had a careful regard for the stores, he never failed to secure the praises of the crew.

"When I gib de stove fire, den me gib de Cap-i-tan, wid de crew, some good breakfas," said he with a gleam of satisfaction.

This individual, reader, was Manuel Pereira, or, as he was called by his shipmates, *Pe-rah-re.* Manuel was born in Brazil, an extract of the Indians and Spanish, claiming birthright of the Portuguese nation. It mattered but very little to Manuel where he was born, for he had been so long tossed about in his hardy vocation that he had almost become alienated from the affections of birthplace. He had sailed so long under the protection of the *main-jack* of old England that he had formed a stronger allegiance to that country than to any other. He had sailed under it with pride; had pointed to its emblem, as if he felt secure, when it was unfurled, that the register-ticket which that government had given him was a covenant between it and himself; that it was a ticket to incite him to good behavior in a foreign country; and that the flag was sure to protect his rights, and insure from the government to which he sailed respect and hospitality. He had sail around the world under it—visited savage and semi-civilized nations—had received the hospitality of cannibals, had joined in the merry dance with the Otaheitian, had eaten fruits with the Hottentots, shared the coarse morsel of the Greenlander, been twice chased by the Patagonians—but what shall we say?—he was imprisoned, for the olive tints of his color, in a land where not only civilization rules in its brightest conquests, but chivalry and honor sound its fame within the lanes, streets, and court-yards. Echo asks, Where—where? We will tell the reader: That flag which had waved over him so long and in

so many of his wayfarings—that flag which had so long boasted its rule upon the wave, and had protected him among the savage and the civilized, found a spot upon this wonderful globe where it ceased to do so, unless he could change his skin.

CHAPTER III.

THE SECOND STORM.

On the fourth night succeeding the perilous position of the Janson off Cape Antoine, the brig was making about seven knots, current of the gulf included. The sun had set beneath heavy radiant clouds, which rolled up like masses of inflamed matter, reflecting in a thousand mellow shades, and again spreading their gorgeous shadows upon the rippled surface of the ocean, making the picture serene and grand.

As darkness quickly followed, these beautiful transparencies of a West-India horizon gradually changed into murky-looking monitors, spreading gloom in the sombre perspective. The moon was in its second quarter, and was rising on the earth. The mist gathered thicker and thicker as she ascended, until at length she became totally obscured. The Captain sat upon the companion-way, anxiously watching the sudden change that was going on overhead; and, without speaking to any one, rose, took a glance at the compass, and then went forward to the lookout,

charging him to keep a sharp watch, as they were not only in a dangerous channel, but in the track of vessels bound into and out of the gulf. After this, he returned amidship, where the little miniature salt we have described before lay, with his face downward, upon the main-hatch, and ordering him to bring the lead-line, he went to leeward and took a cast; and after paying out about twenty-five fathoms without sounding, hauled aboard again. The wind was southward and light. As soon as he had examined the lead he walked aft and ordered the sheets eased and the vessel headed two points farther off. This done, he went below, and shaking his barometer several times, found it had begun to fall very fast. Taking down his coast-chart, he consulted it very studiously for nearly half an hour, laying off an angle with a pair of dividers and scale, with mathematical minuteness; after which he pricked his course along the surface to a given point. This was intended as his course.

"Where do you make her, Captain?" said the mate, as he lay in his berth.

"We must be off the Capes—we must keep a sharp look out for them reefs. They are so deceptive that we'll be on to them before we know it. There's no telling by sounding. We may get forty fathoms one minute and strike the next. I've heard old West-India coasters say the white water was the best warning," replied the Captain.

"I'm mighty afraid of that Caryafort reef, since I struck upon it in 1845. I was in a British schooner then, bound from Kingston, Jamaica, to New York. We kept a bright lookout, all the way through the passage, and yet struck, one morning just about day-

light; and, five minutes before, we had sounded without getting bottom. When it cleared away, that we could see, there was two others like ourselves. One was the ship John Parker, of Boston, and the other was a long-shoreman. We had a valuable cargo on board, but the craft wasn't hurt a bit; and if the skipper—who was a little colonial man, not much acquainted with the judicial value of a wrecker's services—had a taken my advice, he wouldn't got into the snarl he did at Key West, where they carried him, and charged him thirty-six hundred dollars for the job. Yes, and a nice little commission to the British consul for counting the doubloons, which, by-the-by, Skipper, belonged to that great house of Howland & Aspinwalls. They were right clever fellows, and it went into the general average account for the relief of the underwriters' big chest," continued the mate.

"We must have all hands ready at the call," said the Captain. "It looks dirty overhead, and I think we're going to catch it from the north-east to-night. If we do, our position is not as good as before. I don't feel afraid of her, if we only get clear of this infernal coast," said the Skipper, as he rolled up his chart, and repaired on deck again.

During this time, Manuel, who had given the crew some very acceptable hot cakes for supper, was sitting upon the windlass, earnestly engaged, with his broken English, recounting an adventure he had on the coast of Patagonia, a few years previous, while serving on board a whaleman, to a shipmate who sat at his left. It was one of those incidents which frequently occur to the men attached to vessels which visit that coast for the purpose of providing a supply of wood and

water, and which would require too much space to relate here.

"Did you run, Manuel?" said the listening shipmate.

"What else did me do? If I no run, I'd not be here dis night, because I be make slave, or I be killed wid club. Patagonian don't care for flag—nor not'in' else—I trust-e my leg, an' he get to de boat jus' when cap-i-tan come to rescue."

"Was you on board an Englishman then, Manuel?" inquired the shipmate

"Yes, I'm always sail in English ship, because I can get protection from flag and consul, where I go—any part of globe," said he.

"I never liked this sailing among barbarous nations; they've no respect for any flag, and would just as lief imprison an Englishman or an American as they would a dog. They're a set of wild barbarians, and if they kill a fellow, there's no responsibility for it. It's like a parcel of wolves chasing a lamb, and there's no finding them after they've killed it. But they give a fellow his rights in Old England and the States. A man's a man there, rich or poor, and his feelings are just as much his own as anybody's. It's a glorious thing, this civilization, and if the world keeps on, there'll be no danger of a fellow's being imprisoned and killed among these savages. They're a cowardly set, for nobody but cowards are afraid of their own actions. Men neither imprison nor kill strangers, that don't fear the injustice of their own acts. You may smoke that in your pipe, Manuel, for I've heard great men say so. But you'd been done making dough-nuts then, Manuel, if they'd got hold o' you."

"Never catch Manuel among Patagonians again;

they not know what the flag be, nor they can't read de registrum ticket, if they know'd where England was," said Manuel; and just as he was concluding the story of his adventure, the little sailor-boy put his arm around Manuel's waist, and, laying his head on his breast, fondled about him with an affectionate attachment. The little fellow had been a shipmate with Manuel on several voyages, and, through the kindness he had received at his hands, naturally formed an ardent attachment to him. Taking advantage of the good treatment, he knew how to direct his attention to the steward whenever he wanted a snack from the cabin-locker of that which was not allowed in the forecastle. After holding him for a minute, encircling his arm around the little fellow's shoulder, he arose, and saying, "I know what you want, Tommy," proceeded to the cabin and brought him several little eatables that had been left at the captain's table.

The wind now began to veer and increase, her sails kept filling aback; and as often as the man at the helm kept her off, the wind would baffle him, until finding it would be necessary to go on the other tack, or make some change of course, he called the Captain. The moment the latter put his foot upon deck, he found his previous predictions were about to be verified. The rustling noise of the gulf, mingling its solemn sounds with the petrel-like music of that foreboding wind that "whistles through the shrouds," awakened the more superstitious sensations of a sailor's heart. The clouds had gathered their sombre folds into potent conclaves, while the sparkling brine in her wake, seemed like a fiery stream, rolling its troubled foam upon the dark waters.

"Brace the yards up sharp—hard a-starboard!—and trim aft the sheets," ordered the Captain, who had previously given the order, "All hands on deck!"

The order was scarcely executed, before the noise of the approaching gale was heard in the distance. All hands were ordered to shorten sail as quickly as possible; but before they could get aloft, it came upon them with such fury from E.N.E. as to carry away the foretop-mast and topgallant-mast, together with its sails, and the main-topgallant-mast with the sail. The foretop-mast, in going by the board, carried away the flying-jib-boom and flying-jibs. Thus the ill-fated Janson was doomed to another struggle for her floating existence. The sea began to rise and break in fearful power; the leak had already increased so that two men were continually kept working the pumps. The crew, with commendable alacrity, cut away the wreck, which had been swaying to and fro, not only endangering the lives of those on board, but obstructing every attempt to get the vessel into any kind of working order. The main-sail had rent from the leash to the peak of the gaff, and was shaking into shreds. The starboard sheet of the maintop-sail was gone, and it had torn at the head from the bolt-rope, flying at every gust like the shreds of a muslin rag in a hail-storm. Without the government of her helm, she lay in the trough of the sea more like a log than a manageable mass. Sea after sea broke over her, carrying every thing before them at each pass. The officers and crew had now as much as they could do to retain their holds, without making any effort to save the wreck, while the men at the pumps could only work

at each subsiding of the sea, and that under the disadvantage of being lashed to the frame. A more perilous position than that in which the old brig Janson now lay, it was impossible to imagine.

"'Tis the worst hurricane I've ever experienced upon the West India coast, Captain, but it's too furious to last long; and if she don't go to pieces before morning, I'll give her credit for what I've always sworn against her. She can't keep afloat though, if it hangs on another hour in this way," said the mate, who, with the Captain and Manuel, had just made an ineffectual attempt to rig a storm stay-sail, to try and lay her to under it. For the mate swore by his knowledge of her qualities, that to put her before it, would be certain foundering. The gale continued with unabated fury for about two hours, and stopped about as suddenly as it commenced. The work of destruction was complete, for from her water-line to the stump of the remaining spars, the Janson floated a complete wreck.

The captain gave orders to clear away the wreck, and get what little sail they could patch up, upon her, for the purpose of working her into the nearest port. The mate was not inclined to further the order, evidently laboring under the strong presentiment that she was to be their coffin. He advised that it was fruitless to stick by her any longer, or hazard an attempt to reach a port with her in such a leaky and disabled condition. "If we don't abandon her, Skipper," said he, "she'll abandon us. We'd better make signal for the first vessel, and bid the old coffin good-by."

The captain was more determined in his resolution, and instead of being influenced by the mate's fears,

continued his order, and the men went to work with a cheerful willingness. None seemed more anxious to lend a ready hand than Manuel, for in addition to his duties as steward, he had worked at sail-making, and both worked at and directed the repairing of the sails. Those acquainted with maritime affairs can readily appreciate the amount of labor necessary to provide a mess with the means at hand that we have before described. And yet he did it to the satisfaction of all, and manifested a restless anxiety lest he should not make everybody comfortable, and particularly his little pet boy, Tommy.

"We'll get a good observation at meridian, and then we shall shape our course for Charleston, South Carolina. We'll be more likely to reach it than any other southern port," said the captain to his mate. "That steward, Manuel, is worth his weight in gold. If we have to abandon the old craft, I'll take him home; the owners respect him just as much as a white man; his politeness and affability could not but command such esteem, with a man that a'n't a fool. I never believed in making equals of negroes, but if Manuel was to be classed with niggers for all the nigger blood that's in him, seven-tenths of the inhabitants of the earth would go with him. I never saw such an attachment between brothers, as exists between him and Tommy. I verily believe that one couldn't go to sleep without the other. I should think they were brothers, if the lad wasn't English, and Manuel a Portuguese. But Manuel is as much an Englishman at heart as the lad, and has sailed so long under the flag that he seems to have a reverence for the old jack when he sees the bunting go up. He likes to tell that story about the Patagonians chasing him. I have overheard

him several times, as much amused in his own recital as if he was listening to the quaint jokes of an old tar. But he swears the Patagonians will never catch him on their shores again, for he says he doesn't believe in making 'drum-head of man-skin,'" said the Captain, evidently with the intention of affecting the mate's feelings, and drawing his mind from its dark forebodings.

"Well, Skipper, I pray for a happy deliverance," said the mate, "but if we make Charleston with her, it'll be a luck that man nor mermaid ever thought of. I hearn a good deal o' tell about Charleston, and the Keys. That isn't one of the places our stewards are so 'fraid of, and where owners don't like to send their ships when they can find freight in other ports?"

"I expect it is, sir; but I apprehend no such trouble with any of my crew," answered the Captain promptly. "I sail under the faith of my nation's honor and prowess, the same as the Americans do under theirs. We're both respected wherever we go, and if one little State in the Union violates the responsibility of a great nation like that, I'm mistaken. Certainly, no nation in Christendom could be found, that wouldn't open their hearts to a shipwrecked sailor. I have too much faith in what I have heard of the hospitality of Southerners, to believe any thing of that kind."

"Talk's all very well, Skipper," said the mate; "but my word for it, I know'd several ships lying in the Mersey, about three years ago, bound to Southern ports for cotton. White stewards worth any thing couldn't be had for love nor money, and the colored ones wouldn't ship for ports in Slaves States. The Thebis got a colored man; but the owners had to pay

him an enormous advance, and this, too, with the knowledge of his being locked up the whole time he was in port; thus having to incur the very useless expense of supplying his place, or find boarding-house accommodations for the officers and crew. If it be true, what I've heard 'em say in the Mersey, the man doesn't only suffer in his feelings by some sort of confinement they have, but the owners suffer in pocket. But it may be, Skipper, and I'm inclined to think with you, our case is certainly deplorable enough to command pity instead of imprisonment. The government must be found cutting a dirty figure on the national picture, that would ill-treat sailors who had suffered as much as our boys have. I would hate to see Manuel shut up or ill-used. He's as brave a fellow as ever buckled at a handspike or rode a jib-boom. Last night, while in the worst of the gale, he volunteered to take Higgins's place, and, mounting the jib-boom, was several times buried in the sea; yet he held on like a bravo, and succeeded in cutting away the wreck. I thought he was gone once or twice, and I own I never saw more peril at sea; but if he hadn't effected it, the foot of the bowsprit would have strained her open in the eyes, and we'd all been sharks'-bait before this. The fellow was nearly exhausted when he came on board; says I, its gone day with you, old fellow; but he come to in a little while, and went cheerily to work again," continued Mr. Mate, who though pleased with the Captain's determination to make the nearest port, seemed to dread that all would not be right in Charleston—that the bar was a very intricate one—water very shoal in the ship-channel, and though marked with three distinctive buoys, numbered according to

their range, impossible to cross without a skilful pilot. The mate plead a preference for Savannah, asserting, according to his own knowlege, that a ship of any draft could cross that bar at any time of tide, and that it was a better port for the transaction of business.

The Janson was headed for Charleston, the queen city of the sunny South, and, as may be expected from her disabled condition, made very slow progress on her course. During the gale, her stores had become damaged, and on the third day before making Charleston light, Manuel Pereira came aft, and with a sad countenance reported that the last cask of good water was nearly out; that the others had all been stove during the gale, and what remained, so brackish that it was unfit for use. From this time until their arrival at Charleston, they suffered those tortures of thirst, which only those who have endured them can estimate.

CHAPTER IV.

THE CHARLESTON POLICE.

Mr. Durkee had said in Congress, that a negro was condemned to be hung in Charleston for resisting his master's attempts upon the chastity of his wife; and that such was the sympathy expressed for the negro, that the sheriff's offer of one thousand dollars could induce no one present to execute the final mandate. Now, had Mr. Durkee been better acquainted with that social understanding between the slave, the pretty wife, and his master, and the acquiescing pleasure of the slave, who in nineteen cases out of twenty congratulates himself on the distinguished honor, he would have saved himself the error of such a charge against the tenor of social life in Charleston. Or, had he been better acquainted with the character of her police, he certainly would have saved the talent of Mr. Aiken its sophomore display in that cumbrous defence. In the first place, Mr. Durkee would have known that such attempts are so common among the social events of the day, and so well understood by the slave, that instead of being resented, they are appreciated to a great extent. We speak from long experience and knowledge of the connection between a certain class of slaves and their masters. In the second place, Mr. Durkee would have known that any man connected with the city police—save its honorable mayor, to whose character we would pay all deference—would not for *con-*

science' sake scruple to hang a man for five dollars. We make no exception for color or crime. A qualification might be called for, more adapted to our knowledge of it as it has existed for the last four or five years; but we are informed by those whose lives and fortunes have been spent for the moral elevation of the city police, that it was even worse at the time referred to.

The reader may think we are making grave charges. Let us say, without fear of refutation, they are too well known in the community that tolerates them. As a mere shadow of what lays beneath the surface, we would refer to the only independent speech we ever listened to in Charleston,—except when self-laudation was the theme,—made by G. R——, Esq., in one of her public halls a few weeks ago. Mr. R—— is a gentleman of moral courage and integrity, and, without fear or trembling, openly denounced the corruption and demoralization of the police department. Even the enemies of his party, knowing the facts, appreciated his candor as a man, while they denounced the publicity, (for his speech was paraded by the press,) lest the fair name of the queen city should suffer abroad. A beautiful farce followed this grave exposition. The board of aldermen, composed of fourteen men of very *general* standing, remained mum under the accusation for a long time. Its object was to show up the character of a class of officials, whose character and nefarious arts have long disgraced the city. But in order to make a display of his purity, Mr. C——, a gentleman entitled to high moral consideration, chose to make it a personal matter; yet, not content with a private explanation given by Mr. R——, he made a call through

the press. Mr. R—— responded in a proper and courteous manner, acknowledging the due respect to which Mr. C——'s private character was entitled; thus increasing the ambition of the board generally, who, with the expectation of Mr. R—— making a like acknowledgment to them as a body, (not excepting their honorable head,) made a demand in joint-officio. This being duly signalized through the columns of the Courier and Mercury, Mr. R—— met it with a response worthy of a gentleman. He referred them to the strongest evidence of his assertions, in the countenance which they gave to a class of officials too well known to the community for the honor of its name and the moral foundation of its corporate dignity. Thus ended a great municipal farce, to prolong which the principal performers knew would disclose the intriguing scenes of their secondary performers. The plot of this melo-comic concern was in the sequel, and turned upon the very grave fact of Mr. C—— having some time previous withdrawn from the honorable board, to preserve some very delicate considerations for *conscience' sake.*

How much spiritual consolation Mr. C—— realized through the acknowledgment of Mr. R——, or the honorable board in joint-officio from the firm admonition, we leave for the secondary consideration of proper wives and daughters.

But the reader will ask, what has this to do with poor Manuel Pereira,—or the imprisonment of free citizens of a friendly nation? We will show him that the complex system of official spoliation, and the misrepresentations of the police in regard to the influence of such persons upon the slave population, is a

principal feature in its enforcement. To do this, we deem it essentially necessary to show the character of such men and the manner in which this law is carried out. We shall make no charges that we cannot sustain by the evidence of the whole city proper, and with the knowledge that truth is stronger than fiction.

What will the reader say when we tell him that, among the leading minds of the city—we say leading minds, for we class those who are considered foremost in the mercantile sphere among them—are three brothers, unmarried, but with mistresses bought for *the* purpose, whose dark skins avert the tongue of scandal;—that, twice, men were sold, because of the beauty of their wives, to distant traders, that the brothers might cast off their old mistresses, and appropriate new ones to an unholy purpose; that these men enjoy their richly furnished mansions, are known for their sumptuous entertainments, set an example of mercantile honor and integrity, are flattered among the populace, receive the attentions of very fine and very virtuous ladies, wield a potential voice in the city government, and lead in the greatest development of internal improvements;—that these men even whisper high-sounding words of morality, and the established custom considers their example no harm when color is modified.

What will the reader think, when we tell him that there is no city-marshal in Charleston, but innumerable marshalled men, supported by an onerous tax upon the people, to quiet the fears of a few. And what will they think, when we tell them that the man whose name is so frequently sounded through the columns of the press as the head of police, and applauded for his activity among thieves, is the well-

known prince-officio of a voluptuous dwelling, where dazzling licentiousness fills his pockets with the spoils of allurement. This man has several counterparts, whose acts are no secrets to the public ear, and who turn their office into a mart of intrigue, and have enriched themselves upon the bounty of espionage and hush-money, and now assert the dignity of their purse. It may be asked, why are these men kept in office?—or have these offices become so disgraced that honest men will not deign to accept them? No! such is not the case. It is that moral integrity is not considered in its proper light, and is not valued as it should be; that these men have a secret influence which is well known, and are countenanced and retained for the weight of their control among a certain class; and, strange to say, that the party *ex-officio* make these demoralizing things the basis of their complaints against the "powers that be;" yet such is their feeble dependence, that no sooner are they in office than we have the repetition of the same things.

Now, how far his honor is answerable for these things we must leave the reader to judge. The leading characteristics of his nature conflict with each other; his moral character is what is considered sound here; and truly he is entitled to much respect for his exemplary conduct, whether it be only exerted as an example, or the heartfelt love of Christian purity. Some people are pious from impulse, and become affected when purpose serves to make it profitable. We, however, are not so uncharitable as to charge such piety to our worthy head of the city government, but rather to a highly developed organ of the love of office, which has outgrown the better inclinations of his well-established Christianity.

We must invite the reader's attention to another and still more glaring evidence of the demoralization of social life in Charleston. A notorious woman, who has kept the worst kind of a brothel for years, where harlots of all shades and importations break the quietude of night with their polluted songs, becomes so bold in her infamy that she appeals to the gracious considerations of the city council, (board of aldermen.) How is this? Why, we will tell the reader:—She remained unmolested in her trade of demoralization, amassed a fortune which gave her boldness, while her open display was considered very fine fun for the joking propensities of officials and gallants. With her wealth she reared a splendid mansion to infamy and shame, where she, and such as she, whose steps the wise man tells us "lead down to hell," could sway their victory over the industrious poor. So public was it, that she openly boasted its purpose and its adaptation to the ensnaring vices of passion. Yes, this creature in female form had spread ruin and death through the community, and brought the head of many a brilliant young man to the last stage of cast-off misery. And yet, so openly tolerated and countenanced by leading men are these things, that on the 31st of July, 1852, this mother of crime appeals to the honorable board of aldermen, as appeared in the "Proceedings of Council" in the Charleston Courier of that date, in the following manner:

"Laid over until a monied quorum is present.

"Letter from Mrs. G. Pieseitto, informing Council that having recessed her new brick building in Berresford street at least two feet, so as to dedicate it to the use of the citizens of Charleston, if they will pave with flag-stones the front of her lot, respectfully

requests, that if accepted, the work may be done as soon as possible. Referred to the Aldermen, Ward No. 4." The street is narrow and little used, except for purposes known to the *lanterns*, when honest people should sleep. The information might have been couched with more modesty, when the notoriety of the woman and the dedication of her tabernacle of vice was so public. How far the sensitive aldermen of the fourth ward have proceeded in the delicate mission, or how much champagne their modest consideration has cost, the public have not yet been informed. Rumor says every thing is favorable. We are only drawing from a few principal points, and shall leave the reader to draw his own inference of the moral complexion of our social being. We make but one more view, and resume our story.

An office connected with the judiciary, so long held as one of high responsibility and honorable position, is now held merely as a medium of miserable speculation and espionage. It is an elective office, the representative holding for four years. The present incumbent was elected more through charity than recompense for any amiable qualities, moral worth, efficient services to party ends. A more weak man could not have been drawn from the lowest scale of party hirelings, though he had abdicated the office once before to save his name and the respectability of the judiciary. It may be said, he was elected in pity to speculate on misery; and thus it proved in the case of MANUEL PEREIRA. This functionary was elected by a large majority. Could his moral worth have been taken into consideration? We should think not! For several times have we been pointed to two interesting girls,—or, if their color was not shaded,

would be called young ladies—promenading the shady side of King street, with their faces deeply vailed, and informed who was their father. The mother of these innocent victims had been a mother to their father, had nursed him and maintained him through his adversity, and had lived the partner of his life and affections for many years, and had reared to him an interesting but fatal family. But, no sooner had fortune begun to shed its smiling rays, than he abandoned the one that had watched over him for the choice of one who could boast no more than a white skin.

If men who fill high places live by teaching others to gratify their appetites and pleasures alone, instead of setting a commendable example for a higher state of existence, by whom can we expect that justice and moral worth shall be respected?

Connected with the city constabulary are two men whose duty it is to keep a *sharp* lookout for all vessels arriving, and see that all negroes or colored seamen are committed to prison. One is a South Carolinian, by the name of Dusenberry, and the other an Irishman, by the name of Dunn. These two men, although their office is despicable in the eyes of many, assume more authority over a certain class of persons, who are unacquainted with the laws, than the mayor himself. The former is a man of dark, heavy features, with an assassin-like countenance, more inclined to look at you distrustfully than to meet you with an open gaze. He is rather tall and athletic, but never has been known to do any thing that would give him credit for bravery. Several times he has been on the brink of losing his office for giving too much latitude to his craving for perquisites; yet, by some unaccountable means, he manages to hold on. The other

is a robust son of the Emerald Isle, with a broad, florid face, low forehead, short crisp hair, very red, and knotted over his forehead. His dress is usually very slovenly and dirty, his shirt-collar bespotted with tobacco-juice, and tied with an old striped bandana handkerchief. This, taken with a very wide mouth, flat nose, vicious eye, and a countenance as hard as ever came from Tipperary, and a lame leg, which causes him to limp as he walks, gives our man Dunn the incarnate appearance of a fit body-grabber. A few words will suffice for his character. He is known to the official department, of which the magistrates are a constituent part, as a notorious——l; and his better-half, who, by-the-way, is what is called a free-trader, meaning, to save the rascality of a husband, sells liquor by small portions, to suit the Murphys and the O'Neals. But, as it pleases our Mr. Dunn, he very often becomes a more than profitable customer, and may be found snoring out the penalty in some sequestered place, too frequently for his own character. Between the hours of ten and twelve in the morning, Dunn, if not too much incapacitated, may be seen limping his way down Broad street, to watch vessels arriving and departing, carrying a limp-cane in one hand, and a large covered whip in the other. We were struck with the appearance of the latter, because it was similar to those carried in the hands of a rough, menial class of men in Macon, Georgia, who called themselves *marshals*, under a misapplication of the term. Their office was to keep the negro population "*straight*," and do the whipping when called upon, at fifty cents a head. They also did the whipping at the jails, and frequently made from five to six dollars a day at this alone; for

it is not considered fashionable for a *gentleman* to whip his own nigger. We noticed the universal carrying of this whip, when we first visited Macon, some four years ago, and were curious to know its purport, which was elucidated by a friend; but we have since seen the practical demonstrations painfully carried out. Those who visited Boston for the recovery of Crafts and Ellen—whose mode of escape is a romance in itself—were specimens of these "*marshals*." How they passed themselves off for gentlemen, we are at a loss to comprehend.

During the day, the Messrs. Dusenberry and Dunn may be seen at times watching about the wharves, and again in low grog-shops—then pimping about the "Dutch beer-shops and corner-shops"—picking up, here and there, a hopeful-looking *nigger*, whom they drag off to limbo, or extort a bribe to let him go. Again, they act as monitors over the Dutch corner-shops, the keepers of which pay them large sums to save themselves the heavy license fine and the information docket. When they are no longer able to pay over hush-money, they find themselves walked up to the captain's office, to be dealt with according to the severe penalty made and provided for violating the law which prohibits the sale of liquor to negroes without an order. The failure to observe this law is visited with fine and imprisonment,—both beyond their proportionate deserts, when the law which governs the sale of liquor to white men is considered. Things are very strictly regulated by complexions in South Carolina. The master sets the most dissipated and immoral examples in his own person, and allows his children not only to exercise their youthful caprices, but to gratify such feelings as are pernicious

to their moral welfare, upon his slaves. Now, the question is, that knowing the negro's power of imitation, ought not some allowance to be made for copying the errors of his master? Yet such is not the case; for the slightest deviation from the strictest rule of discipline brings condign punishment upon the head of the offender.

CHAPTER V.

MR. GRIMSHAW, THE MAN OF THE COUNTY.

On the 22d of March last, about ten o'clock in the morning, a thin, spare-looking man, dressed in a black cashmeret suit, swallow-tail coat, loose-cut pants, a straight-breasted vest, with a very extravagant shirt-collar rolling over upon his coat, with a black ribbon tied at the throat, stood at the east corner of Broad and Meeting street, holding a very excited conversation with officers Dusenberry and Dunn. His visage was long, very dark—much more so than many of the colored population—with pointed nose and chin, standing in grim advance to each other; his face narrow, with high cheek-bones, small, peering eyes, contracted forehead, reclining with a sunken arch between the perceptive and intellectual organs—or, perhaps, we might have said, where those organs should have been. His countenance was full of vacant restlessness; and as he stared at you through his glasses, with his silvery gray hair hanging

about his ears and neck in shaggy points, rolling a large quid of tobacco in his mouth, and dangling a little whip in his right hand, you saw the index to his office. As he raised his voice—which he did by twisting his mouth on one side, and working his chin to adjust his enormous quid—the drawling tone in which he spoke gave a picture not easily forgotten.

"You must pay more attention to the arrivals," said he in a commanding tone. "The loss of one of these fellers is a serious drawback to my pocket; and that British consul's using the infernalest means to destroy our business, that ever was. He's worse than the vilest abolitionist, because he thinks he's protected by that flag of their'n. If he don't take care, we'll tar-and-feather him; and if his government says much about it, she'll larn *what* and *who* South Carolina is. We can turn out a dozen Palmetto regiments that'd lick any thing John Bull could send here, and a troop o' them d——d Yankee abolitionists besides. South Carolina's got to show her hand yet against these fellers, afore they'll respect the honor and standing of her institutions. They can't send their navy to hurt us. And it shows that I always predicts right; for while these commercial fellers about the wharves are telling about digging out the channel, I've al'ays said they didn't think how much injury they were doing; for it was our very best protection in war-time. South Carolina can lick John Bull, single-fisted, any time; but if that pack of inconsiderate traders on the wharves got their own way, away goes our protection, and John Bull would bring his big ships in and blow us up. And these fellows that own ships are getting so bold, that a great many are beginning to side with Mathew, the

consul. Yes, they even swear that 'tis the officials that stick to the law for the sake of the fees. Now, if I only knew that the consul was the means of that Nassau nigger getting away, I'd raise a mob, and teach him a lesson that South Carolinians ought to have teached him before. It took about seventeen dollars out of my pocket, and if I was to sue him for it, I could get no recompense. The next time you allow one to escape, I must place some other officer over the port," said our man, whom, we shall continue to call Mr. Grimshaw.

"Sure I heard the same consul, when spakin to a gintleman, say that the law was only an abuse of power, to put money into the pockets of yourself and a few like yo. And whin meself and Flin put the irons on a big nigger that the captain was endeavoring to skulk by keeping him in the forecastle of the ship, he interfered between me and me duty, and began talking his balderdash about the law. Sure, with his own way, he'd have every nigger in the city an abolitionist in three weeks. And sure, Mr. Sheriff, and ye'd think they were babies, if ye'd see himself talk to them at the jail, and send them my things, as if they were better than the other criminals, and couldn't live on the jail fare," said officer Dunn, who continued to pledge himself to the sheriff that the wharves should not be neglected, nor a hopeful English darky escape his vigilant eye.

"For my own part, I think they're better off in jail than they would be on the wharf," continued Grimshaw. "They're a worthless set, and he'n't half the character that a majority of our slaves have; and instead of attending the captain on board, they'd be into Elliot street, spending their money, getting

drunk, and associating with our worst niggers. And they all know so much about law, that they're always teaching our bad niggers the beauties of their government, which makes them more unhappy than they are. Our niggers are like a shoal of fish—when one becomes diseased, he spreads it among all the rest; and before you know where you are, they're done gone."

"They're not very profitable customers for us, Sheriff," said Dusenberry. "We have a deal of watching, and a mighty smart lot of trouble after we get them fellows; and if we get a perquisite, it never amounts to much, for I seldom knew one that had money enough to treat as we took him up. These Britishers a'n't like us; they don't pay off in port: and if the fellows get any thing in jail from the consul, it's by drib-drabs, that a'n't no good, for it all goes for liquor. And them criminals make a dead haul upon a black steward, as soon as he is locked up. But if these sympathizing fools follow up their bugbears about the treatment at the jail, they'll get things so that our business won't be worth a dollar. For my own part, I'm not so much beholdin', for I've made myself comfortable within the last few years, but I want my son to succeed me in the office. But if this consul of their'n keeps up his objections, appeals, and his protests in this way, and finds such men as his honor the district-attorney to second him with his nonsense and his notions, folks of our business might as well move north of Mason and Dixon's."

"I can wake him up to a point," said Grimshaw, "that that abolition consul ha'n't learnt before; and if he'd stuck his old petition in Charles Sumner's breeches pocket instead of sending it to our legisla-

ture, he might have saved his old-womanish ideas from the showin' up that Myzeck gave 'em. It takes Myzeck to show those blue-skin Yankees how to toe the mark when they come to South Carolina. If South Carolina should secede, I'd say give us Myzeck and Commander to lead our war, and we'd be as sure to whip 'em as we won the Mexican war for the Federal Government. There is three things about an Englishman, Dusenberry, which you may mark for facts. He is self-conceited, and don't want to be advised;—he thinks there is no law like the law of England; and that the old union-jack is a pass-book of nations;—and he thinks everybody's bound to obey his notions of humanity and the dictates of his positive opinions. But what's worse than all, they've *never* seen the sovereignty of South Carolina carried out, and according to Consul Mathew's silly notions, they think we could be licked by a gun-boat.

"It's no use arguing this thing, you must keep a keen eye upon the English niggers; and when a man pretends to dispute the right, tell him its '*contrary to law*,' and to look at the statute-books; tell him it costs more to keep them than they're all worth; and if they say the law was never intended for foreign citizens, tell 'em its '*contrary to law*.' South Carolina's not bound to obey the voice of the General Government, and what does she care for the federal courts? We'll pursue a course according to the law; and any thing that is contrary to it we will take care of for the better protection of our institutions. Now, don't let one pass, upon the peril of your office," continued Mr. Grimshaw.

"It's not a button I'd care for the office," said Dunn. "Sure it's yerself be's makin' all the fees, and

ourselves getting the paltry dollar; and yerself gives us as much trouble to get that as we'd be earning two dollars at magistrate Jiles' beyant. Sure! himself's liberal and doesn't be afraid to give us a division of the fees when the business is good. And sure ye make yer ten times the fees on an English nigger, and never gives us beyant the dollar," continued he, moving off in high dudgeon, and swearing a stream of oaths that made the very blood chill. There was a covert meaning about Mr. Grimshaw's language that was not at all satisfactory to Mr. Dunn's Irish; especially when he knew Mr. Grimshaw's insincerity so well, and that, instead of being liberal, he pocketed a large amount of the fees, to the very conscientious benefit of his own dear self. The reader must remember that in Charleston, South Carolina, there is a large majority of men who care little for law, less for justice, and nothing for Christianity. Without compunction of conscience, and with an inherited passion to set forward the all-absorbing greatness of *South Carolina*, these men act as a check upon the better-disposed citizens. The more lamentable part is, that forming a large portion of that species of beings known as bar-room politicians, they actually control the elections in the city; and thus we may account for the character of the incumbents of office, and for the tenacity with which those oppressive laws are adhered to.

This almost incompatible conversation between a high sheriff and two menial constables, may to many seem inconsistent with the dignity that should be observed between such functionaries. Nevertheless, all restraint is not only annihilated by consent, but so prominently is this carried out, and so well under-

stood by that respectable class of citizens whose interests and feelings are for maintaining a good name for the city and promoting its moral integrity, that in all our conversation with them, we never heard one speak well of those functionaries or the manner in which the police regulations of the city were carried out.

CHAPTER VI.

THE JANSON IN THE OFFING.

After several days' suffering for want of water and fatigue of labor, several of the crew were reported upon the sick-list. Manuel, who had borne his part nobly and cheerfully, was among the number; and his loss was more severely felt, having done a double duty, and succeeded, as far as the means were at hand, in making everybody on board comfortable. He had attended upon those who gave up first, like a good nurse, ready at the call, whether night or day, and with a readiness that seemed pleasure to him. From the captain to the little boy Tommy, his loss was felt with regret; and the latter would often go into the forecastle where he lay, lean over him with a child-like simplicity, and smooth his forehead with his little hand. "Manuel! I wish poor Manuel was well!" he would say, and again he would lay his little hand on his head and smooth his hair. He would whisper encouragement in his ear; and having learned a smattering of Portuguese, would tell him how soon they

would be in port, and what pleasant times they would have together.

On the 21st they descried land, which proved to be Stono, about twenty-five miles south of Charleston. Tommy announced the news to Manuel, which seemed to cheer him up. His sickness was evidently caused by fatigue, and his recovery depended more upon rest and nourishment than medical treatment. That night at ten o'clock the wind came strong north-west, and drove the Janson some distance to sea again; and it was not until the morning of the 23d that she made Charleston light, and succeeded in working up to the bar. Signal was made for a pilot, and soon, a very fine cutter-looking boat, "*Palmetto*, No. 4," was seen shooting out over the bar in the main channel. Manuel, somewhat recovered, had a few minutes before been assisted on deck, and through the captain's orders was laid upon a mattress, stretched on the starboard side of the companion-way. By his side sat little Tommy, serving him with some nourishment.

The boat was soon alongside, and the pilot, a middle-sized man, well dressed, with a frank, open countenance, rather florid and sun-stained, and a profusion of gold chain and seal dangling from his fob, came on board. After saluting the captain, he surveyed the weather-beaten condition of the craft, made several inquiries in regard to her working, and then said in a *sang-froid* manner, "Well! I reckon you've seen some knocking, anyhow." Then turning again and giving some orders in regard to getting more way upon her, he viewed the laborious working at the pumps, and walking about midships on the larboard side, took a sharp survey of her waist.

"Don't she leak around her topsides, Captain?" said he.

Receiving an answer in the affirmative, he gave a glance aloft, and then at the sky to windward; asked how long he had worked her in that condition, and where he took the gale. "It's a wonder she hadn't swamped ye before now. I'd a' beached her at the first point, if she'd bin mine; I'd never stand at slapping an old craft like this on. She reminds me of one o' these down-east sugar-box crafts what trade to Cuba," he continued. Then walking across the main-hatch to the starboard side, he approached the men who were pumping, and after inquiring about freeing her, suddenly caught a glimpse of Manuel, as he lay upon the mattrass with his face uncovered.

"Heavens! What! have you got the yellow fever on board at this season of the year?" he inquired of the mate, who had just come aft to inquire about getting some water from the pilot-boat.

"No, we've had every thing else but the yellow fever; one might as well bin on a raft as such an infernal unlucky old tub as she is. It's the steward, sir—he's got a touch of a fever; but he'll soon be over it. He only wants rest, poor fellow! He's bin a bully at work ever since the first gale. He'll mend before he gets to town," was the reply.

"Ah! then you've had a double dose of it. It gives a fellow bringer off them capes once in a while. —The steward's a nigger, isn't he?" inquired the pilot.

"Nigger!—not he," said the mate. "He's a Portuguese mixed breed; a kind o' sun-scorched subject, like a good many of you Southerners. A nigger's mother never had him, you may bet your 'dovie on

that. There's as much white blood in his jacket as anybody's got, only them Portuguese are dark-lookin' fellers. He's no fool—his name's Manuel, a right clever feller, and the owners think as much of him as they do of the Skipper."

"Gammon," said the pilot to himself. "What would he think if we were to show him some specimens of our white niggers in Charleston?" And turning, he walked past Manuel with a suspicious look, and took a position near the man at the wheel, where he remained for some time fingering the seals of his watch-chain. The Captain had gone into the cabin a few minutes before, and coming on deck again, walked toward the place where the pilot stood, and took a seat upon an old camp-stool.

"Cap," said the pilot, "ye'll have trouble with that nigger of your'n when ye git to town. If you want to save yerself and the owners a d——d site o' bother and expense, y' better keep him close when y' haul in; and ship him off to New York the first chance. I've seen into the mill, Cap, and y' better take a friend's advice."

"Nigger!" said the Captain indignantly, "what do they call niggers in Charleston? My steward's no more a nigger than you are!"

"What, sir?" returned the pilot in a perfect rage. "Do you know the insulting nature of your language? Sir, if the law did not subject me, I would leave your vessel instantly, and hold you personally responsible as soon as you landed, sir."

The Captain, unconscious of the tenacity with which the chivalrous blood of South Carolina held language that mooted a comparison of colors, considered his answer, but could see nothing offensive in it.

"You asked me a question, and I gave you a proper answer. If you consider such a man as my steward—poor fellow—a nigger, in your country, I'm glad that you are blessed with so many good men."

"We polishes our language, Captain, when we speak of niggers in South Carolina," said the pilot. A South Carolinian, sir, is a gentleman all over the world. It don't want nothin' further than the name of his State to insure him respect. And when foreign folks and Northerners from them abolition States bring free niggers into South Carolina, and then go to comparing them to white folks, they better be mighty careful how they stir about. South Carolina ought to've seceded last year, when she talked about it, and sent every Yankee home to make shoe-pegs. We wouldn't bin insulted then, as we are now. I'll tell you what it is, Cap," said he, rather cooling off, "if our folks was only as spunky as they were in eighteen hundred and thirty-two times, them fellers what come here to feed upon South Carolina, put the devil in the heads of the niggers, and then go home again, would see stars and feel bullet-holes."

The Captain listened to the pilot's original South Carolina talk, or, as the pilot himself had called it, polished language, without exhibiting any signs of fear and trembling at its sublime dignity; yet, finding that the pilot had misconstrued the tenor of his answer, said, "You must have mistaken the intention of my reply, sir; and the different manner in which you appropriate its import may be attributed to a custom among yourselves, which makes language offensive that has no offensive meaning. We never carry pistols or any such playthings in my country. We have a moral security for our lives, and never look

upon death as a great an enemy that we must carry deadly weapons to defend it. In fact, pilot," he said in a joking manner, "they're rather cumbersome little bits for a feller's pocket: I'd rather carry my supper and breakfast in my pocket. Now tell us, who do you call niggers in South Carolina?"

"Why, Captain, we call all what a'n't white folks. Our folks can tell 'em *right smart*. They can't shirk out if it's only marked by the seventeenth generation. You can always tell 'em by the way they look—they *can't look you in the face*, if they are ever so white. The law snaps 'em up once in a while, and then, if they're ever so white, it makes 'em prove it. I've known several cases where the doubt was in favor of the nigger, but he couldn't prove it, and had to stand aside among the darkies. Dogs take my skin, Cap, if there'n't a Jew feller in town as white as anybody, and his father's a doctor. It got whispered round that he was a nigger, and the boarders where he stayed raised a fuss about it. The nigger's father had two of them sued for slander, but they proved the nigger by a quirk of law that'd make a volume bigger than Blackstone; and instead of the old Jew getting satisfaction, the judges, as a matter of policy, granted him time to procure further proof to show that his son wasn't a nigger. It was a very well-considered insinuation of the judges, but the young-un stands about A 1 with a prime nigger-feller."

"I should like to have 'em try me, to see whether I was a nigger or a white man. It must be a funny law, '*nigger or no nigger*.' If a feller's skin won't save him, what the devil will?" said the Captain.

"Why, show your mother and her generation were white, to be sure! It's easy enough done, and

our judges are all very larned in such things—can tell in the twinkling of an eye,' said the pilot.

"I should think the distinguishing points would be to show that their mother had nothing to do with a nigger. Do your judges make this a particular branch of jurisprudence? If they do, I'd like to know what they took for their text-books. If the intermixture is as complex as what you say, I should think some of the judges would be afraid of passing verdict upon their own kin."

"Not a whit!" said the pilot; "they know enough for that."

"Then you admit there's a chance. It must be an amusing affair, 'pon my soul! when a nice little female has to draw aside her vail before a court of very dignified judges, for the purpose of having her pedigree examined," said the Captain.

"Oh! the devil, Cap; your getting all astray—a woman nigger never has the advantage of the law. They always go with the niggers, ah! ha! ha!!"

"But suppose they're related to some of your bigbugs. What then? Are your authorities so wise and generous that they make allowance for these things," asked the Captain, innocently.

"Oh! poh! there you're again: you must live in Charleston a year or two, but you'll have to be careful at first that you don't fall in love with some of our bright gals, and think they're white, before you know it. It doesn't matter seven coppers who they're get by, there's no distinction among niggers in Charleston. I'll put you through some of the bright houses when we get up, and show you some scions of our aristocracy, that are the very worst cases. It's a fact, Cap, these little shoots of the aristocracy invari-

ably make bad niggers. If a fellow wants a real prime, likely nigger wench, he must get the pure African blood. As they say themselves, 'Wherever Buckra-man bin, make bad nigger.'"

"Well, Pilot, I think we've had enough about mixed niggers for the present. Tell me! do you really think they'll give me trouble with my steward? He certainly is not a black man, and a better fellow never lived," inquired the Captain earnestly.

"Nothing else, Cap," said the pilot. "It's a hard law, I *tell you*, and if our merchants and business men had a say in it, 'twouldn't last long; ye can't pass him off for a white man nohow, for the thing's '*contrary to law*,' and pays so well that them contemptible land-sharks of officers make all the fuss about it, and never let one pass. Just take the infernal fees off, and nobody'd trouble themselves about the stewards. It all goes into old Grimshaw's pocket, and he'd skin a bolt-rope for the grease, and sell the steward if he could get a chance. He has sold a much nearer relation. I'm down upon the law, you'll see, Cap, for I know it plays the dickens with our business, and is a curse to the commerce of the port. Folks what a'n't acquainted with shipping troubles, and a ship-owner's interests, think such things are very small affairs. But it's the name that affects us, and when an owner stands at every item in the disbursements, and a heavy bill for keeping his steward, and another for filling his place, or boarding-house accommodations, and then be deprived of his services, he makes a wry face, and either begins to think about another port, or making the rate of freight in proportion to the annoyance. It has an effect that we feel, but don't say much about. I'm a secessionist,

but I don't believe in running mad after politics, and letting our commercial interests suffer."

"But what if I prove my steward a'n't a colored man?" said the Captain; "they surely won't give me any trouble then. It would pain my feelings very much to see Manuel locked up in a cell for no crime; and then to be deprived of his services, is more than I can stand. If I'd known it before, I'd suffered the torments of thirst, and put for a port farther north."

"It'll cost more than it's worth," said the pilot. "Take my plain advice, Cap; never try that; our lawyers are lusty fellows upon fees; and the feller 'd rot in that old nuisance of a jail afore you'd get him out. The process is so slow and entangled, nobody 'd know how to bring the case, and ev'ry lawyer 'd have an opinion of his own. But the worst of all is that it's so unpopular, you can't get a lawyer worth seven cents to undertake it. It would be as dangerous as an attempt to extricate a martyr from the burning flames. Public opinion in Charleston is controlled by politicians; and an attempt to move in a thing so unpopular would be like a man attempting to speak, with pistols and swords pointed to his head."

"Then it's folly to ask justice in your city, is it?" asked the Captain. "But your people are generous, a'n't they? and treat strangers with a courtesy that marks the character of every high-minded society?"

"Yes!—but society in South Carolina has nothing to do with the law; our laws are gloriously ancient. I wish, Cap, I could only open your ideas to the way our folks manage their own affairs. I'm opposed to this law that imprisons stewards, because it affects commerce, but then our other laws are tip-top. It was the law that our legislature made to stop free niggers

from coming from the abolition States to destroy the affections of our slaves. Some say, the construction given to it and applied to stewards of foreign vessels a'n't legal, and wasn't intended; but now it's controlled by popular will,—the stewards a'n't legislators, and the judges know it wouldn't be popular, and there's nobody dare meddle with it, for fear he may be called an abolitionist. You better take my advice, Cap: ship the nigger, and save yourself and Consul Mathew the trouble of another fuss," continued the pilot.

"That I'll never do! I've made up my mind to try it, and won't be driven out of a port because the people stand in fear of a harmless man. If they have any souls in them, they'll regard with favor a poor sailor driven into their port in distress. I've sailed nearly all over the world, and I never got among a people yet that wouldn't treat a shipwrecked sailor with humanity. Gracious God! I've known savages to be kind to poor shipwrecked sailors, and to share their food with them. I can't, pilot, imagine a civilization so degraded, nor a public so lost to common humanity, as to ill treat a man in distress. We've said enough about it for the present. I'll appeal to Mr. Grimshaw's feelings, when I get to the city; and I know, if he's a man, he'll let Manuel stay on board, if I pledge my honor that he won't leave the craft."

"Humph!—If you knew him as well as I do, you'd save your own feelings. His sympathies don't run that way," said the pilot.

The Janson had now crossed the bar, and was fast approaching Fort Sumpter. Manuel had overheard enough of the conversation to awaken fears for his own safety. Arising from the mattrass, in a manner

indicating his feeble condition, he called Tommy, and walking forward, leaned over the rail near the fore-rigging, and inquired what the Captain and the pilot were talking about. Observing his fears, the little fellow endeavoured to quiet him by telling him they were talking about bad sailors.

"I think it is me they are talking about. If they sell me for slave in Charleston, I'll kill myself before a week," said he in his broken English.

"What's that you say, Manuel?" inquired the first mate as he came along clearing up the decks with the men.

"Pilot tell Captain they sell me for slave in South Carolina. I'd jump overboard 'fore I suffer him," said he.

"Oh, poh! don't be a fool; you a'n't among Patagonians, Manuel; you won't have to give 'em leg for your life. They dont sell foreigners and outlandish men like you for slaves in Carolina—it's only black folks what can't clothe their words in plain English. Yer copper-colored hide wouldn't be worth a sixpence to a nigger-trader—not even to old Norman Gadsden, that I've heard 'em tell so much about in the Liverpool docks. He's a regular Jonathan Wild in nigger-dealing; his name's like a fiery dragon among the niggers all over the South, and I hearn our skipper say once when I sailed in a liner, that niggers in Charleston were so 'fraid of him they'd run, like young scorpions away from an old Re-devil, when they saw him coming. He sells white niggers, as they call 'em, and black niggers—any thing that comes in his way, in the shape of saleable folks. But he won't acknowledge the corn when he goes away from home, and swears there's two Norman Gadsdens

in Charleston; that he a'n't *the one!* When a man's ashamed of his name abroad, his trade must be very bad at home, or I'm no sailer," said the mate.

"Ah, my boys!" said the pilot in a quizzical manner, as he came to where several of the men were getting the larboard anchor ready to let go,—"if old Norman Gadsden gets hold of you, you're a gone sucker. A man what's got a bad nigger has only got to say Old Gadsden to him, and it's equal to fifty paddles* at the workhouse. They tell a pretty good story about the old fellow. I don't know if it's true, but the old fellow's rich now, and he does just what he pleases. It was that somebody found one of those little occasional droppings of the aristocracy, very well known among the secrets of the chivalry, and called foundlings, nicely fixed up in a basket.—It's among the secrets though, and mustn't be told abroad. —The finders labelled it, 'Please sell to the highest bidder,' and left it at his door. There was a fund of ominous meaning in the label; but Norman very coolly took the little helpless pledge under his charge, and, with the good nursing of old *Bina*, made him tell to the tune of two hundred and thirty, cash, 'fore he

* The mode of punishment most modern, and adopted in all the workhouses and places of punishment in South Carolina, is with the paddle, a wooden instrument in the shape of a baker's peel; with a blade from three to five inches wide, and from eight to ten long. This is laid on the posteriors—generally by constables or officers connected with the police. Holes are frequently bored in the blade, which gives the application a sort of percussive effect. The pain is much more acute than with the cowhide; and several instances are known where masters ordered an amount of castigation beyond the endurance of the slave, and it proved fatal.

was two year old. He went by the name of Thomas Norman, the Christian division of his sector-father's, according to custom. The old fellow laughs at the joke, as he calls it, and tells 'em, when they ask it to him, they don't understand the practice of making money. You must keep a bright look out for him, Manuel—you'll know him by the niggers running when they see him coming."

The pilot now returned to the quarter, and commenced dilating upon the beauty of Charleston harbor and its tributaries, the Astley and Cooper Rivers—then upon the prospects of fortifications to beat the *United States* in the event of South Carolina's seceding and raising an independent sovereignty, composed of her best blood. The Captain listened to his unsolicited and uninteresting exposition of South Carolina's prowess in silence, now and then looking up at the pilot and nodding assent. He saw that the pilot was intent upon astonishing him with his wonderful advancement in the theory of government, and the important position of South Carolina. Again he looked dumbfounded, as much as to acknowledge the pilot's profundity, and exclaimed, "Well! South Carolina must be a devil of a State: every thing seems captivated with its greatness: I'd like to live in Carolina if I didn't get licked."

"By scissors! that you would, Captain; you he'n't an idea what a mighty site our people can do if they're a mind to! All South Carolina wants is her constitutional rights, which her great men fought for in the Revolution. We want the freedom to protect our own rights and institutions—not to be insulted and robbed by the General Government and the abolitionists."

"Do you [illegible] as a p[illegible] upon the same principle that you ask of the General Government?" inquired the Captain.

"Certainly, Captain, as far as it was intended for the judicious good of all white citizens!"

"Then you claim a right for the whites, but withhold the right when it touches on the dark side. You'll have to lick the Federal Government, as you call it, for they won't cut the constitution up to suit your notions of black and white."

"That's just the thing, Cap, and we can do it just as easy as we now protect our own laws, and exterminate the niggers what attempt insurrections. South Carolina sets an example, sir, of honor and bravery that can't be beat. Why, just look yonder, Cap: the Federal Government owns thin' on Fort Sumpter, and they insulted us by building it right in our south, so that they could command the harbor, block out our commerce, and collect the duties down here. But, Cap, this don't scare South Carolina nohow. We can show 'em two figures in war tactics that'd blow 'em to thunder. Yo see yonder?" said he, with an earnest look of satisfaction, pointing to the south. "That's Morris Island. We'd take Fort Moultrie for a breakfast spell, and then we'd put it to 'em hot and strong from both sides, until they'd surrender Fort Sumpter. They couldn't stand it from both sides. Yes, sir, they shut Fort Moultrie against us, and wouldn't let us have it to celebrate independence in. There's a smouldering flame in South Carolina that'll burst forth one of these days in a way that must teach the Federal Government some astonishing and exciting lessons. There's old Castle Pinckney, sir; we could keep it for a reserve, and with

Generals Quattlebum [illegible] Commanding, [illegible] Georgetown and Santee Swamp, we could raise an army of Palmetto regiments that would whip the Federal Government troop and gun-boat."

We have given this singular conversation of the pilot with a strange Captain, which at the time was taken as an isolated case of gasconade peculiar to the man; but which the Captain afterward found to harmonize in sentiment, feeling, and expression with the general character of the people—the only exceptions being the colored people.

CHAPTER VII.

ARRIVAL OF THE JANSON.

About five o'clock on the evening of the 23d, the Janson passed Castle Pinckney, ran up to the wharf with the flood-tide, let go her anchor, and commenced warping into the dock. Her condition attracted sundry persons to the end of the wharf, who viewed her with a sort of commiseration that might have been taken for sincere feeling. The boarding officer had received her papers, and reported her character and condition, which had aroused a feeling of speculative curiosity, that was already beginning to spread among ship-carpenters and outfitters.

Conspicuous among those gathered on the wharf was a diminutive little dandy, with an olive-colored frock-coat, black pants, embroidered vest, and an enormous shirt-collar that endangered his ears. This was secured around the neck with a fancy neckcloth, very tastefully set off with a diamond pin. He was very slender, with a narrow, feminine face, round pop-eyes—requiring the application of a pocket-glass every few minutes—and very fair complexion, with little positive expression of character in his features. His nose was pointed; his chin, projected and covered with innumerable little pimples, gave an irregular and mastiff-shaped mouth a peculiar expression. He wore a very highly-polished and high-heeled pair of boots, and a broad-brimmed, silk-smooth hat. He seemed very anxious to display the beauty of two

diamond rings that glittered upon his delicate little fingers, made more conspicuous by the wristbands of his shirt. Standing in a very conspicuous place upon the capsill of the wharf, he would rub his hands, then running from one part of the wharf to another, ordering sundry niggers about making fast the lines, kicking one, and slapping another, as he stooped, with his little hand. All paid respect to him. The Captain viewed him with a smile of curiosity, as much as to say, "What important specimen of a man in breeches is that?" But when the little fellow spoke, the secret was told. He gathered the inflections of his voice, as if he were rolling them over the little end of a thunderbolt in his mouth. As the vessel touched the wharf, he sprang to the corner and cried out at the top of his voice, "Yer' *welcome to Charleston*, Captain Thompson! Where did you get that knocking?—where are ye bound for?—how many days are you out?—how long has she leaked in that way?" and a strain of such questions, which it would be impossible to trace, such was the rapidity with which he put them. The Captain answered him in accordance with the circumstances; and supposing him clothed with authority, inquired where he should find some hands to work his pumps, in order to relieve his men. "By-Je-w-hu! Captain, you must a' had a piping time, old feller. Oh! yes, you want help to work your pumps. Get niggers, Captain, there's lots on 'em about here. They're as thick as grasshoppers in a cotton-patch."

"Yes, but I want 'em now, my men are worn out; I must get some Irishmen, if I can't get others at once," said the Captain, viewing his man again from head to foot.

"Oh! don't employ Paddies, Captain;' 'ta'n't popular; they don't belong to the secession party; Charleston's overrun with them and the Dutch! Why, she won't hurt to lay till to-morrow morning, and there'll be lots o' niggers down; they can't be out after bell-ring without a pass, and its difficult to find their masters after dark. Haul her up 'till she grounds, and she won't leak when the tide leaves her. We can go to the theatre and have a right good supper after, at Baker's or the St. Charles's. It's the way our folks live. We live to enjoy ourselves in South Carolina. Let the old wreck go to-night." The little fellow seemed so extremely polite, and so anxious to "do the genteel attention," that the Captain entirely forgot the tenor of his conversation with the pilot, while his feelings changed with the prospect of such respectful attention; and yet he seemed at a loss how to analyze the peculiar character of his little, pedantic friend.

"You must not think me intrusive, Captain," said he, pulling out his segar-pouch and presenting it with a Chesterfieldian politeness. "It's a pleasure we Carolinians take in being hospitable and attentive to strangers. My name, sir, is ——! My niggers call me Master George. Yes, sir! our family!—you have heard of my father probably—he belongs to one of the best stocks in Carolina—owns a large interest in this wharf, and is an extensive cotton-broker, factors, we call them here—and he owns a large plantation of niggers on Pee-Dee; you must visit our plantation, Captain, or at least before you leave the city. But you mustn't pay much attention to the gossip you'll hear about the city. I pledge you my

honor, sir, it don't amount to any thing, nor hold any prominent place in our society."

"Really, sir," replied the Captain, "I shall do myself the honor to accept of your hospitable kindness, and hope it may be my good fortune to reciprocate at some future day. I'm only too sorry that our wrecked condition affords me no opportunity to invite you to my table to-night; but the circumstances which you see everywhere presenting themselves are my best apology."

"Oh, dear me! don't mention it, I pray, Captain. Just imagine yourself perfectly at home. We will show you what Southern hospitality is. We don't go upon the Yankee system of Mr. *So-and-so* and *What-do-ye-call'um*. Our feelings are in keeping with our State pride, which, with our extreme sensibility of honor, forbids the countenance of meanness. South Carolinians, sir, are at the very top of the social ladder—awake to every high-minded consideration of justice and right. We are not moved by those morbid excitements and notions that so often lead people away at the North. Make no unnecessary preparation, Captain, and I will do myself the honor to call upon you in an hour." Thus saying, he shook his hand and left.

The pilot had delivered his charge safe, and was about to bid the Captain good-by for the night. But in order to do the thing in accordance with an English custom, that appears to have lost none of its zest in South Carolina, he was hauled into the Captain's cabin to take a little prime old Jamaica. Manuel, who had somewhat recovered, brought out the bottle from a private locker, and setting it before them, they filled up, touched glasses, and drank the usual stand-

ing toast to South Carolina. "Pilot," said the Captain, "who is my polite friend—he seems a right clever little fellow?"

"Well, Captain, he's little, but he's first-rate blood, and a genuine sprig of the chivalry. He's a devil of a secessionist, sir. If ye were to hear that fellow make a stump speech on States' rights, you'd think him a Samson on Government. His father is the head of a good mercantile house here; 'twouldn't be a bad idea to consign to him. But I must bid you good-night, Captain; I'll call and see you to-morrow," said the pilot, leaving for his home.

The Janson was hauled well up the dock, and grounded on the ebb-tide. Manuel prepared supper for the officers and crew, while the Captain awaited the return of his new acquaintance. "Captain," said Manuel, "I should like to go ashore to-night and take a walk, for my bones are sore, and I'm full of pains. I think it will do me good. You don't think anybody will trouble me, if I walk peaceably along?"

"Nobody would trouble you if they knew you, Manuel; but I am afraid they will mistake you in the night. You had better keep ship until morning; take a good rest, and to-morrow will be a fine day—you can then take some exercise."

Manuel looked at the Captain as if he read something doubtful in his countenance, and turned away with a pitiful look of dissatisfaction. It seems that through his imperfect knowledge of English, he had misconceived the position of the celebrated Thomas Norman Gadsden, whom he imagined to be something like an infernal machine, made and provided by the good citizens of Charleston to catch bad niggers.

"Nora me Gazine no catch-e me, Cap-i-tan, if me go ashore, 'cause me no make trouble in no part de world where me sail. Oh! no, Cap-i-tan, Manuel knew how to mize dis business," said he returning again to the Captain.

"Yes, yes, Manuel, but we can't let the crew go ashore 'till we get through the custom-house; you must content yourself to-night, and in the morning 'twill be all right. I'm afraid you'll get sick again—the light-air is very bad in this climate; old Hadden won't trouble you. He don't walk about at night."

Manuel walked forward, not very well satisfied with the manner in which the Captain put him off. The latter felt the necessity of caution, fearing he might infringe upon some of the municipal regulations that the pilot had given him an account of, which accounted for his refusal. Manuel sat upon the main-hatch fondling Tommy, and telling him what good things they would have in the morning for breakfast, and how happy they ought to be that they were not lost during the gales, little thinking that he was to be the victim of a merciless law, which would confine him within the iron grates of a prison before the breakfast hour in the morning. "I like Charleston, Tommy," said Manuel; "it looks like one of our old English towns, and the houses have such pretty gardens, and the people they say are all so rich and live so fine. Tommy, we'll have a long walk and look all around it, so that we can tell the folks when we get home. The ship owes me eleven pounds, and I mean to take some good things home for presents, to show what they have in South Carolina."

"You better buy a young nigger, and take him

home as a curiosity to show among the Highlanders. You can buy a young Sambo for any price, just the same as you would a leg of mutton at the butcher's; put him in a band-box, ing him across, and you'll make a fortune in the North country. But I'd rather buy a young wife, for the young niggers are more roguish than a ice o' snakes, and al'a's eat their heads off afore they're big enough to toddle. They sell gals here for niggers whiter than you are, Manuel; they sell 'em at auction, and then they sell corn to feed 'em on. Carolina's a great region of supersensual sensibility; they give you a wife of any color or beauty, and don't charge you much for her, providing you're the right stripe. What a funny thing it would be to show the Glasgow folks a bright specimen of a bought wife from the renowned State of South Carolina, with genuine aristocratic blood in her veins; yes, a pure descendant of the Huguenots!" said the mate, who was leaning over the rail where Manuel and Tommy were seated, smoking a segar and viewing the beautiful scenery around the harbor.

"Ah!" said Manuel, "when I get a wife and live on shore, I don't want to buy one—it might be a dangerous bargain. Might buy the body, but not the soul—that's God's."

CHAPTER VIII.

A NEW SIDE OF SECESSION.

About a quarter past eight o'clock in the evening, Master George, as he called himself, the little pedantic man, came skipping down the wharf. As soon as he approached the brig, he cried out at the top of his voice, "Captain! Captain!!"

The Captain stepped to the gang-way, and the little fellow, who had stood crossing and working his fingers, reached out his h[illegible] to assist him ashore. This done, he took the Cap[illegible] arm, and commencing a discourse upon the wonderful things and people of South Carolina they wended their way to the Charleston Theatre. The company then performing was a small affair, and the building itself perfectly filthy, and filled with an obnoxious stench. The play was a little farce, which the Captain had seen to much perfection in his own country, and which required some effort of mind to sit out its present mutilation. Yet, so highly pleased was *Master* George, that he kept up a succession of applauses at every grimace made by the comedian. Glad when the first piece was over, the Captain made a motion to adjourn to the first good bar-room and have a punch. It was agreed, upon the condition that the little man should "do the honor," and that they should return and see the next piece out. The Captain, of course, yielded to the rejoinder, though it was inflicting a severe penalty upon his feelings. There was another piece

to come yet, which the little fellow's appetite was as ready to devour as the first. The Captain, seeing this, could not refrain expressing his surprise. This was taken as a charge against his taste, and George immediately commenced a discussion upon the subject of the piece, the intention of the author, and the merits of the principal performers, whose proper adaptation he admired. The Captain knew his subject, and instead of contending in detail, advised him to take a peep into the theatres of New York and London. Not to be undone, for he was like all little men, who insist upon the profoundness of their own opinions, he asserted that it could be only the different views which individuals entertained of delineating character, and that the Charlestonians were proverbially correct in their judgment of music and dramatic performances.

"I pity the judgment that would award merit to such a performance as that," said the Captain.

"How strange, that you Englishmen and Scotchmen always find fault with every thing we Americans do. Your writers manifest it in their books upon us and the people seem of necessity to copy from them, and echo their grumblings," rejoined Master George.

"You judge from the common saying, instead of a knowledge from observation, I fear," said the Captain.

"Lord, sir! you must not judge me by that rule. Carolinians, sir, always appreciate intelligent strangers, for they always exert a healthy influence, and never meddle with our institutions; so you see it wouldn't do to follow the pestilent notions of petty scribblers, lest we should form wrong opinions."

"But tell me," said the Captain, "do you consider

yourselves Americans in South Carolina?—the pilot must have led me astray."

"Americans! yes, indeed, the true blood at that, and no man of tip-top judgment ever questioned it. But you must mark the difference; we *ain't* Yankees, nor we don't believe in their infernal humbuggery about abolition. If it wasn't for South Carolina and Georgia, the New-Englanders would starve for want of our cotton and rice. It's the great staple what keeps the country together; and as much as they talk about it, just take that away, and what would the United States be? We South Carolinians give no symptoms or expressions of what we mean to do that we cannot maintain. We have been grossly insulted by the Federal Government, but it dar'n't come at us and just give us a chance at fair fight. We'd show 'em the thunder of the Palmetto, that they'd never trouble our sovereignty again. Captain, I pledge you my honor that if there wasn't so many infernal Yankees in Georgia, and she'd follow our lead in secession, we'd just lick the whole North. Georgia's a big State, but she a'n't pluck, and has no chivalry at all among her people. She allows such privileges to them Yankees—gives them power to control her manufacturing interests—and this is just what will uproot the foundation of their slave institution. Georgians a'n't a bit like us; first, they are too plebeian in their manners—have no bend of guardianship for their laws, and exert no restraints for the proper protection of good society. But, Captain, their stock has a different origin, and the peculiarity which now marks our character may be traced to the offspring of early settlement. We derived our character and sentiments from the Huguenots; they,

from an uncharacterised class of coarse adventurers, whose honesty was tinctured with penal suspicion. This, sir, accounts for the differences so marked in our character."

The little fellow pressed this kind of conversation in the lobby of the theatre, and at the same time took the very particular pleasure of introducing the Captain to several of the young bloods, as he called them, while they walked to and from the boxes. At length the Captain found himself in a perfect hornet's nest, surrounded by vicious young secessionists, so perfectly nullified in the growth that they were all ready to shoulder muskets, pitchforks, and daggers, and to fire pistols at poor old Uncle Sam, if he should poke his nose in South Carolina. The picture presented was that of an unruly set of children dictating their opinions to a hoary-headed old daddy—accusing him of pragmatism, and threatening, if he was twice as old, they'd whip him unless he did as they directed. The knowledge of South Carolina's power and South Carolina's difficulties with the Federal Government he found so universally set forth as to form the atmosphere of conversation in the parlor, the public-house, the school and the bar-room, the lecture-room and the theatre.

The little man extended his invitation to a party of the bloods. The Captain was taken by the arms in a kind of bond fellowship, and escorted into Baker's eating-saloon, a place adjacent to the theatre, and, to a man unaccustomed to the things *that are* in Charleston, a very rowdy place. This is considered by Charlestonians one of the finest places in the Southern country; where good suppers and secession (*the all-engrossing subjects with Charles-*

tonians) form the only important element of conversation. It may be set down as a fact, that among seven-tenths of the people of Charleston, the standard of a gentleman is measured according to his knowledge of secession and his ability to settle the question of hot suppers. We say nothing of that vociferous patriotism so often manifested in a long string of fulsome toasts that disgrace the columns of the Mercury and Courier.

At Baker's the place was literally crowded with all kinds and characters, graded from the honorable judge down to the pot-boy; a pot-pourri of courtesy and companionship only exhibited in England on the near approach of elections. The reader may think this strange, but we can assure him that distinctions are strangely maintained; an exclusive arrogance being observed in private life, while a too frequent and general resort to bar-rooms has established plebeianism in public. Voices were sounding at all parts of the counter, and for as many different voices as many different mixtures were named. The Captain received a great many introductions, and almost as many invitations to drink; but the little man, Master George, claimed the exclusive honor, and keeping an eye wide awake, took the advantage of his own dimensions, and began working his way through a barricade of bodies and elbows, until he had reached the counter. His party followed close at his heels. Altogether, they called for cocktails, smashes, toddies, cobblers, juleps, and legitimates. These disposed of, the company repaired to what is called a "box up-stairs." Scarcely seated, Master George rang the bell with such violence that he disjointed the cord and tassel, and gave such an alarm

that three or four darkies came poking their alarmed countenances through the curtains at once.

"There's nothing like making the fellows mind; they've got so infernal independent here, and old Tom thinks so much of his young wife, that his niggers have begun to imitate him. One's enough at a time!" said Master George, with all the importance of his character. A "bright boy," with his hair nicely parted on the middle of his head, and frizzed for the occasion, made a polite bow, while the others retired.

"What have you choice for supper, to-night? We want something ripe for the palate—none of your leavings, now, you infernal nigger, and don't tell us none of your lies."

"Birds, sir, grouse, woodcock, partridge, canvas-backs, and quails; meats, venison, and oysters, master—did up in any shape what the gentlemen wish. Wines, &c., if they want," replied the servant, without any of the negro dialect, at the same time making a low bow to Master George.

"Name it! name your dishes, gentlemen! Don't be backward. I suppose his birds are as usual, without age to flavor them. It's perfectly heathenish to eat birds as they are served here: we never get a bird here that is sufficiently changed to suit a gentleman o' taste; their beef's tough, and such steak as they make is only fit for shoemakers and blacksmiths. I never come into the place but I think of my journey in France, where they know the style and taste of a gentleman, and things are served to suit your choice." Thus our little friend continued his connoisseur remarks, to give the Captain a particular idea of his proficiency in the requisite qualities, age, and time

of keeping necessary to make the adjuncts of a supper fit for a gentleman. "D—me! we don't know when edibles are choice, as the Yankees are perfect brutes in these things, and have no more taste than a cow. Our folks ought to all go to France for a year or two, to learn the style of cooking. It's perfect murder to eat a bird the very day after it's killed; yes, sir! no man that considers his stomach will do it," said George.

The servant waited impatiently—the Captain rubbed his eyes, and began to pour out a glass of water; and dryly said he'd no choice, which was responded to by the rest. It was "fit to Master George, and he ordered a bountiful supply of grouse, partridges, oysters, and champagne of his favourite brand—none other. There was also a billiard-room, reading-room, a room for *more important* gambling, and a bar-room, up-stairs. All these were well filled with very well-dressed and very noisy people; the latter being a very convenient place, the party sent to it for tipplers to fill up time.

"This is but a small portion of what constitutes life in Charleston, Captain. We live for living's sake, and don't stand upon those blueskin theories of temperance and religion that Yankees do, and blame the Father of generations for not making the world better. I never saw one of them that wasn't worse than we Southerners before he'd been in Charleston a year, and was perfect death on niggers. Yes, sir, it's only the extreme goodness of the Southern people's hearts that makes the niggers like them so. I never saw a Northerner yet that wouldn't work his niggers to death in two years. D—me, sir, my servants all love me as if I was a prince.

Have you ever been in *France*, sir?" said he, suddenly breaking off. The Captain replied in the affirmative.

"Ah! then you can speak French! the most polished language known to refined society. I wouldn't part with my French for the world. All the first families in Charleston are familiar with it. It's the modern gentleman's *ourlibonshe* to society here. There's no language like it for beauty and flexibility; but one must go to France and learn to acquire its grace and ease," said he, in rapid succession, rolling out his words in imitation of a London sprig of the Inner Temple, and working his little mastiff mouth.

"No, sir," said the Captain quaintly. "I never stopped long enough in France to get hold of the lingo."

"God bless me, what a misfortune! and can't speak it yet, eh? Why, Captain, if you wanted to court a *petite mademoselle*, you'd be in a sad fix—she wouldn't understand what you were talking about and would take your love-pledges for gammon."

"You're mistaken there, my good fellow. Love grows on trees in France, and a French woman can see it before you begin to tell her about it!" retorted the Captain, which brought a "*Good! good!* hit him again!" from the whole party. At this, Master George commenced reading the Captain a disquisition upon the best mode of acquiring the French language. Supper was brought—in old Tom Baker's best flourish—and the party began to discuss its merits with great gusto. What the little, chivalrous fellows lacked in physical dimension, they made up in patriotic sentiment in behalf of the grand sove-

reignty of South Carolina, which they continued to pour out until a late hour, every man backing his sayings by the authority of the great and wonderful Calhoun.

The Captain sat eating away, and seeming more disposed to enjoy the physical consolation of his supper than to elevate his ideas upon South Carolina's politics.

"Now, Captain," said Master George, in a very serious tone,—after he had been striving his hand upon the marble table for more than an hour to confirm the points of his reasoning,—"what is your opinion of the great question at issue between the Federal Government and South Carolina? And what do you think of the Old Dominion? how will she stand upon the test-question?"

The poor Captain looked confounded—took another oyster, and began to get his mouth in a fix, while little George worked his fingers through his nice curly hair, and the young bloods awaited the rejoinder with anxiety.

"Really, sir, you have the advantage of me in your question. It is so much beyond my profession that I am entirely ignorant of the subject—therefore could not give an opinion. In truth, sir, I do not know the purport of the question. It has given me pleasure and information to listen to your conversation and the ability you displayed in argument, but, as a stranger, I could take no part," replied the Captain very sincerely.

Not content with this, Master George wished to be more direct. "It's the right of secession, Captain—the power to maintain the right by the constitution."

"Probably; but may I expose my ignorance by

inquiring what is meant by secession, and to what it is applied so frequently?" inquired the Captain.

"Oh! murder, Captain; have you never heard of nullification times! Well, sir, you must be posted on the affairs of our government." So he commenced an analysis of nearly an hour long, and in it gave some astonishing accounts of the wonderful statesmanship of Calhoun, Butler, and Rhett, topping down with a perfect fire-and-thunder account of the military exploits of General Quattlebum and Captain Blanding. The Captain began to stretch and gape, for he labored under the fatigue of a perilous voyage, and repose was the only sovereign remedy. He felt that the limits of propriety were entirely overstepped; and that he would have reason to remember the first night spent with little George the secessionist.

"But, Captain! my dear fellow, I see you don't understand our position yet. We've been insulted; yes, most rascally insulted by the Federal Government, and they keep it up every year. We can't get our rights. Oh! no, sir, there's no such thing in the knowledge of the Federal officers as justice for South Carolina; and you must understand, Captain, that she is the greatest State in the Union, and there a'n't nothing like her people for bravery. The political power's got North and West, the old constitution is being dissected to suit the abolitionists, and they're drawing the cordon around us faster and faster; and they're now out like a warrior boldly to the conquest, sounding their voices in the halls of Congress, appealing to human and divine power to protect their nonsense, and bidding defiance to our constitutional rights. Our slaves are our property, protected by the law of God—by that inspired and superhuman

wisdom that founded our great and glorious constitution. Yes, sir! it was an institution entailed upon us by our forefathers, and a wise providence has provided proper laws by which we shall protect and see these poor miserable devils of helpless slaves, that can't take care of themselves, straight through."

"But how does this affect you and the Federal Government?" inquired the Captain.

"Why, sir, most directly!" replied Master George, screwing his mouth and giving his head a very learned attitude. "Directly, sir!—the Federal Government is acquiescing in every abolition scheme that is put forward by that intriguing Northern compact for the establishment of new governments in the territories. She is granting unconstitutional privileges to designing politicians, whose chief aim is to uproot our domestic institution and destroy the allegiance of the slave to his master, by which the slaves would be cast upon the world unprotected, and we disarmed of power to protect them. Ah! sir, I tell you, of all fruits of the imagination that would be the most damnable, and the slave would be the sufferer. It would be worse for him, poor fellow; it would be an abuse of human power without precedent. So far as political power is concerned, we are nearly disarmed. The influx of population finds its way into the opened avenues of the North and West. And with opinions predisposed against our institutions, and the contaminating influence standing ready with open arms to embrace the great current, what can we expect? It's the increasing power made by foreign influx that's giving tone to our government. If our Southern Convention stand firm we are saved; but I'm fearful there's too many doubtful shadows in it that won't

stand to the gun. That's what's always played the devil with us," said George, striking his hand upon the table. "There's no limitation to their interpositions, and their resolves, and their adjournments; which don't come up to my principles of making the issue, and standing to the question with our coffins on our backs. These condescensions of thought and feeling arise from the misconceived notions of a few, who are always ready to join, but never willing to march to action, and must not be taken as a specimen of South Carolina bravery. The Federal Government has become vicious and even puerile toward South Carolina; and since the Herculean power of the great Calhoun is gone, it treats us like a semi-barbarous and secluded people, mistaking our character. But we'll learn the Federal Government a lesson yet."

"Do not your legislators make laws for your government, or how is it that you express such a restive dissatisfaction? Do not the same laws which govern you, govern the whole of the slave States?"

Little George had previously monopolized all the conversation, but at this juncture five or six voices broke out, each fired with a reply to the Captain's question; and yet the answer was of the same old stamp: What South Carolina had done—how she had fought and gained the Mexican war—how she was interested in slaves, and how she yet feared to strike the blow because a set of mere adventurers had got the power to vote in her elections, and cowards through them had got into the legislature.

"Why, gentlemen, listen to me in this particular. If"——

"Your oysters are getting cold, George," interrupted a blood at his left, rather facetiously.

"I claim the respect due a gentleman, sir! A South Carolinian will transgress no rules of etiquette," said George, grasping his tumbler in a passionate manner and smashing it upon the marble slab, causing a sudden emeute in the camp. "Order! order! order!" was sounded from every tongue. "You mustn't be *afeard*, Captain," said one of the party. "This is perfectly South Carolinian—just the oscillating of the champagne; it won't last long."

The noise was more loud than ordinary, and brought a score of people around to hear the trouble. George had got in high dudgeon, and it took several persons to hold him, while the remainder, not excepting the Captain, were engaged in a pacification. The scene was very extravagant in folly; and through the kind interposition of friends, the matter was settled to the honorable satisfaction of both parties—the question was called for—the Captain called for a legitimate, rubbed his eyes, and little George proceeded. "If my friend *Thomas Y. Simmons*, Jr., had been elected to the legislature he'd altered the position of things in South Carolina. All these corruptions would have been exposed, and the disparity of party would have dwindled into obscurity. Every true Carolinian voted for him to the hilt, but how was he defeated? Gentlemen, can you answer? it will be a favor highly gratifying to me to hear your opinions!" A voice answered, "Because he wasn't big enough!" "No, sir," said George, "it was because there was intrigue in the party, and the Yankee influence went to put him down. The world'll hear from him yet. He's my particular friend, and will stand in the halls of Congress as great a statesman as ever lisped a political sentiment."

George's account of his particular friend, Thomas Y. S——, Jr., was so extravagant, and not having heard of him before, the Captain's curiosity was aroused to know who he was and where he resided. We will not tax the reader with George's wonderful memoir of his friend, but merely inform him that "*little Tommy Simmons*," as he is usually styled in Charleston, is an exact pattern of Master George, with the exception of his mouth, which is straight and regular; and if we may be allowed to condescend to the extremes, we should say that the cordwainer had done more for his heels. Otherwise, no daguerreotype could give a counterpart more correct. Tommy is a very small member of the Charleston bar, who, though he can seldom be seen when the court is crowded, makes a great deal of noise without displaying power of elucidation or legal abilities, yet always acquitting himself cleverly. Tommy was little George in two particulars—he had studied law, and was a great secessionist; and if George had never practised, it was only from inclination, which he asserted arose from a humane feeling which he never could overcome—that he never wished to oppress anybody. But the greatest contrast that the reader can picture to himself between mental and physical objects existed between Tommy's aspirations and the physical man. His mind was big enough, and so was his self-confidence, to have led the Assyrian and Chaldean army against the Hebrews. To this end, and to further the formula of his statesmanship, no sooner was he twenty-one, and the corner just turned, than he sounded his war-trumpet—secession or death!—mounted the rostrum and "*stump'd* it," to sound the goodness and greatness of South Carolina, and total annihilation to all

unbelievers in nullification. It was like Jonah and the whale, except the swallowing, which spunky Tommy promised should be his office, if the Federal Government didn't toe the mark. Yes, Tommy was a candidate for the legislature, and for the Southern Congress, (which latter was exclusively chivalrous;) and the reader must not be surprised when we tell him that he lacked but a few votes of being elected to the former. Such was the voice of the Charleston district.

Supper had been discussed down to the fragments, and all expressed their satisfaction of the quantity and declined any more; but George called on another bottle of champagne, and insisted that the party should take a parting glass. The servant had begun to extinguish the lights—a sure sign that the success of the bar was ended for the night. George reprimanded the negro—the sparkling beverage was brought, glasses filled up, touched, and drunk with the standing toast of South Carolina. A motion to adjourn was made and seconded, and the party, feeling satisfied with their evening's recreation, moved off accordingly.

CHAPTER VIII.

A FEW POINTS OF THE LAW.

In Charleston, such an adjournment at a bar-room or an eating-house, when parties are enjoying what is termed a "pleasant occasion," does not mean an adjournment to the domestic fireside; nor are the distinctions between married and single men regarded, though domestic attachments may be considered as governing the thoughts and feelings. The practical definition of such an adjournment means to some place where beauty secludes itself to waste in shame.

The party descended into the lower bar-room, which, though rather thinned, presented a picture of characters stimulated to the tottering point. A motion had been made and strongly seconded to visit the voluptuous house of a certain lady, which it is considered a stranger has not seen Charleston until he has visited. The Captain remonstrated against this, assuring the party that he must go to the ship and needed rest. Again and again they insisted, setting forth the charms and beauty of the denizens, but he as often declined in the most positive manner. Unable to move him in his resolution, one by one began to give him a hearty shake of the hand and bid him good-night, leaving little Master George to the exclusive honor of seeing him home.

Standing in the centre of the room, surrounded by five or six persons well-dressed but very weak in the knees, was a portly-looking gentleman, with very florid

countenance, keen dark eyes, and aquiline nose which he frequently fingered. There was an air of respectability about him, though his countenance was not marked with any particularly prominent feature to distinguish him from the ordinary class of respectable men. He spoke well, yet without taste or discrimination in his language, was rather bald and gray, with small head and low perceptive powers; and judging from the particular tone of his voice and the cant terms he used, we should think he had figured among the Kentucky horse-traders, or made stump speeches in Arkansas. His dress was inclined to the gaudy. He wore a flashy brown-colored frock-coat with the collar laid very far back; a foppish white vest exposing his shirt-bosom nearly down to the waistbands of his pants, which were of gray stripes. But the more fanciful portions of his dress were a large and costly fob-chain, which hung very low and supported an immense seal containing a glistening stone, which he seemed very fond of dangling with his left hand. Attached to this was a very prominently displayed black ribbon, answering the purpose of a guard-chain, and laid with great contrasting care over the bosom of his shirt. This, with a neckerchief of more gaudy colors than Joseph's coat, and a late style Parisian hat, with the rim very exquisitely turned upon the sides, make up our man.

He was discussing politics, with a great many sensible sayings, though nothing like close reasoning; and strange as it may seem, he was strongly opposed to the rabid views of several staggering secessionists, who surrounded him, and advocated the views set forth in convention by Mr. Butler. We remarked this more particularly, for it was about the only

instance we witnessed of a public man being independent enough to denounce the fanaticism of secession. A more amusing scene than that presented by the attitudes—the questions in regard to South Carolina licking the Federal Government—the strange pomp—ribald gasconade, and high-sounding chivalry of the worthies, cannot be imagined. They were in a perfect ecstasy with themselves and South Carolina, and swore, let whatever come, they were ready to meet it.

Little Master George seemed very anxious that the Captain should become acquainted with him, and commenced giving him a monstrous account of his distinguished abilities. "And that's not all!" said George; "he's not only one of the greatest characters in Charleston, or perhaps the State, but he's a *right good fellow.*"

We will interrupt, by informing the reader that he was one of the *good fellows*—a numerous family in Charleston—who never use fine instruments when they select their company; and pay a large amount of worthy tribute to the liquor-dealers. There is no discriminating latitude attached to the *good-fellow* family, for its members may be found with alike gratifying inclinations, from the highest aristocracy to the negro population.

"That, sir, is Col. S——o; belongs to one of the first families, sir. He can beat old Pettigru all hollow; his eloquence is so thrilling that he always reminds me of Pericles. He can beat little Thomas Y. Simmons, Jr., all to pieces—make the best stump speech—address a public assemblage, and rivet all their minds—can make a jury cry quicker than any other man—can clear the worst criminal that ever

committed crime—and he's good-hearted too—can draw the most astonishing comparisons to confound the minds of stupid jurors, and make them believe the d—dest nonsense that ever man invented. Yes, sir—when he makes a speech, everybody goes to hear him, for he says what he pleases, and old Judge Withers, whose will is as arbitrary as Julius Cæsar's, and has got the obstinacy of Tom Boyce's mule, dar'n't attempt to control the tenor of his plea. And he can tell the best invented story of any man in town. He cleared the villanous Doctor Hines once upon the color of his pantaloons.

George waited impatiently for the end of the political controversy, determined to introduce his friend to the colonel. He soon had an opportunity, for the colonel, finding himself beset by a set of unreasonable secessionists, made a sweeping declaration. "Gentlemen," said he, "let me tell you a modest fact: seven-eighths of the secession fire-eaters don't know what the proper meaning of government is: I make the charge against my own people—but it is true." "Traitor! traitor!—traitor to South Carolina," was sounded at the top of a dozen voices.

"Then, if I am such in your opinions, I'm gratified to know that my feelings are my own. Good-night!"

Thus saying, he withdrew from the party, and making his way for the door, was saluted by George, who introduced him to his friend, the Captain. The colonel was a very sociable, communicative man; and taking the Captain's arm, as they walked along, entered into an interesting conversation about his voyage and first visit to the city, at the same time displaying his good sense in not trying to force the great things of South Carolina into his mind.

We, a few weeks afterward, had the good fortune to hear the legal abilities of this gentleman displayed in a plea at the bar. There were many good points in it, which, if not legally pointed, were said well; yet we should class him as belonging to the *loud-school*.

The Captain, thinking it a good opportunity to make some inquiries about his steward, as they proceeded, commenced in the following manner:

"Your laws are very stringent in South Carolina, I believe, sir!"

"Well, no sir," said the colonel, "if we except those which govern the niggers; they of necessity must be so; we have had so many emeutes with them, that no law can be made too strict in its bearings. We have so many bad niggers poured in upon us, that the whole class is becoming corrupted."

"Your laws, of course, make a distinction between good and bad niggers, and free negroes?" interposed the Captain.

"We make no distinction between the colors—some are as white as you are; but the grades are so complex that it would be impossible to make a sliding-scale law for any fixed complexions. The law which governs them is distinctive and comprehensive—made in order to shield the white population from their ignorance of law and evidence. We never could govern them in their respective spheres, unless the laws were made stringent in their effect. As for the free niggers, they're the greatest nuisance we have; it is our policy to get rid of them, and to that end we tax them severely. The riddance of this class of niggers would be an essential benefit to our slaves, as upon account of their influence our negro-laws are made more stringent. And the worst of it is that

they increase faster. But we make it a principal point to *get all the free men we can married to slaves*, and the free women *run off*. You, that are accustomed to the free institutions of your country, may think some of these things singular at first; but you would soon become accustomed to them, and would really admire them when you saw how beautifully they worked."

"Is there no discretionary power left?" inquired the Captain. "It must be oppressive, if carried out. Good men—whether they be white or black—are entitled to the advantages due them; but where laws such as you describe are carried out, a good man's evidence being black, the intention could not be made white. Now, according to my idea of the law of nature, a man's merits are in his moral integrity and behaviour; therefore I should establish the rule that a good black man was better than a bad white man, and was as much entitled to the respect and government of law."

"Hi!—oh! Captain; it won't do to talk so in South Carolina. Just let a nigger imagine himself as good as a white man, and all the seven codes in Christendom wouldn't keep 'em under. Ah! you've got to learn a thing or two about niggers yet," interrupted Master George, before the Colonel had time to speak.

"I only speak from my observation of human nature; but I may become better acquainted with your laws, if I remain among you," said the Captain.

"As I have said before, sir," replied the Colonel, "our nigger-laws are such as to require a strict enforcement. If we allowed the prerogative of a discretionary power, it would open the way to an endless

system of favoritism, just at the mercy and feelings of those exercising it. As it is now, the white or black nigger, male or female, gets the same law and the same penalty. We make no distinction even at the paddle-gallows.* I will relate some singular facts connected with the strictness with which we South Carolinians carry out our laws. And now that we are on the spot connected with it, its associations are more forcibly impressed on my mind. It brings with it many painful remembrances, and, were we differently situated, I should wish the cause to be removed. But it cannot be, and we must carry out the law without making allowances, for in these little leniencies all those evils which threaten the destruction of our peculiar institution creep in. In fact, Captain, they are points of law upon which all our domestic quietude stands; and as such, we are bound to strengthen our means of enforcing them to the strictest letter. Our laws are founded upon the ancient wisdom of our

* The paddle-gallows is a frame with two uprights, and a wrench screw at the top. The negro's hands are secured in iron wristlets—similar to handcuffs; a rope is then attached to an eye in these, and passing over the wrench, which being turned, the negro is raised in an agonizing position until the tips of his toes scarcely touch the floor. Thus suspended, with the skin stretched to its utmost tension, it not unfrequently parts at the first blow of the paddle. Sometimes the feet are secured, when the effect of this modern science of demonstrating the tension of the human body for punishment becomes more painful under the paddle. South Carolinians deny this mode of punishment generally, and never allow strangers to witness it. It is not, as some writers have stated, practiced in Georgia, where, we are happy to say, that so far as punishment is conducted in a legal manner, at the jails and prisons, it is administered in a humane manner; and instead of turning modern barbarity into a science, as is done in South Carolina, a strict regard for the criminal is observed.

forefathers, and South Carolina has never tradnced herself or injured her legal purity. We have reduced our system almost to a practical science, so complete in its bearings and points of government as to be worthy the highest and noblest purposes of our country. And at the same time, such is the spirit and magnanimity of our people, that in framing laws to guard against the dangerous influences of that wing of our country that spreads its ambitious fallacies—its tempting attractions—shallow criticisms upon minute and isolated cases—redundant theories without measure or observation, and making a standard for the government of slaves upon foolish and capricious prejudices, we have been careful to preserve a conservative moderation toward the slave. But, to my remarks."

The party had now arrived opposite to what was formerly known as Jones's Hotel, where the Colonel made a halt to relate the singular case that had pained his feelings, though he held very tenaciously to the law as it was, because he believed strongly in the wisdom of the South Carolina judiciary.

"Our first and great object is to prevent the interchange of sentiment between our domestic niggers, whether bond or free, and niggers who reside abroad or have left our State. To do this, it became imperative to establish a law prohibiting free negroes from coming into the State, and those in the State from going out, under penalty of imprisonment and fine, if they returned. The penalty amounted to sale upon a peon form; and subjected the offender to the slave system in a manner that he seldom retrieved himself. You will observe, Captain, the penalty is not desired by our people, the object being to pre-

vent them from returning; and as such it must be taken in the spirit of its origin. Another very wise provision was made by our legislators, and which has prevented a great deal of suffering on the part of the slave. A few years ago, our wise legislature made a law to revert the power of emancipation from the board of magistrates, where it had been very much abused, to the House itself. And such is the law at the present day, that no master can give his slaves their freedom, except by special act of the legislature, and that with such a multiplicity of provisions and conditions that few even attempt it. But I'm about to refer to cases in which some modification might be said to have been necessary, because *in them* are embodied the worst germs for abolition speculation.

"That, Captain, is Jones's Hotel," said the Colonel, pointing to an odd-looking house of antique and mixed architecture, with a large convex window above the hall-entrance, in the second story. This house is situated in Broad street, next to the aristocratic St. Michael's Church, one of the most public places in the city. "In years past, that house was kept by Jones, a free nigger. Jones was almost white, a fine portly-looking man, active, enterprising, intelligent, honest to the letter, and whose integrity and responsibility was never doubted. He lived in every way like a white man, and, I think, with few exceptions, never kept company with even *bright folks*. His house was unquestionably the best in the city, and had a widespread reputation. Few persons of note ever visited Charleston without putting up at Jones's, where they found, not only the comforts of a private house, but a table spread with every

luxury that the county afforded. The Governor always put up at Jones's; and when you were travelling abroad, strangers would speak of the sumptuous fare at Jones's in Charleston, and the elegance and correctness of his house. But if his house and fare were the boast of Carolinians, and the remark of strangers, his civility and courteous attention could not be outdone. Jones continued in the popularity of his house for many years, reared a beautiful, intelligent, and interesting family; at the same time accumulated about forty thousand dollars. The most interesting part of his family was three beautiful daughters, the eldest of whom was married to a person now in New York. She was fairer than seven-eighths of those ladies who term themselves aristocracy in Charleston, and promonade King street in the afternoon.

"She removed to New York with her husband, who now resides in that city, engaged in a lucrative and respectable business. A short time after, her second sister—not dreaming that the law would be so stringent as to class her with the lowest nigger, or even lay its painful bearings at her door; for the family were very high-minded, and would have considered themselves grossly insulted to have the opprobrious name of nigger applied to them—paid her a visit. The public became acquainted with the fact, and to his surprise, Jones was informed by authority that upon no condition could she be allowed to return—that the law was imperative, and no consideration could be given to the circumstances, for such would be virtually destroying its validity, and furnishing a precedent that would be followed by innumerable cases. In spite of all the remonstrances which Jones could set forth, and the influence of several friends

of high standing, he was compelled to relinquish all hope of his daughter's being allowed to return to the family. The reasoning set forth had every plausibility; but such is our respect for the law, that we were compelled to forego our hospitality, and maintain it, even though the case was painful to our feelings. Thus, you see, we maintain the *point* and *spirit* of the law above every thing else.

"But the end is not here! A few years after this, Jones received a letter, that his daughter was very sick and not expected to live—accompanied with a desire to have the last soothing comfort of seeing her parents. Jones being an affectionate man, and dotingly fond of his children, without regarding the former admonition, immediately prepared himself, and left in disguise for New York. Mature consideration would have convinced him of the error of one so well known as himself trying to elude recognition.

"His son-in-law, Lee, a noble fellow, kept the house, and when Jones was inquired for, it was reported that he was confined to his room. It would have been well if Jones had kept himself secluded in New York; but he was recognised by a Charlestonian, and, as such reports have uncommon wings, the news of it soon reached the authorities; when a mandate was issued accordingly, and Jones subjected to the fate of his daughter. There are many painful circumstances connected with the affair, which, if well told, would make quite a romance," said the Colonel, all of which the Captain listened to with profound attention. "His family all moved to New York, and his affairs were put into the hands of attorneys here, for settlement, by his son-in-law, who continued the business for some years."

"Of course he got his property restored to him?" interrupted the Captain.

"Most certainly, Captain! The spirit of justice is coequal with that of honorable law, in South Carolina," said George, anxious to relieve the Colonel of the answer.

"It is somewhat difficult to settle a man's business by legal process when the principal is not present. The law's delay and lawyers' spoils make time hallowed and costly," said the Captain.

"You're right there, Captain," said the Colonel; "and I doubt—to speak honestly—whether Jones ever got much of his property. There's a good many stories told, and a great deal of mystery about it that's got to be explained to my mind. But you're a stranger, Captain, and it would not be interesting to the feelings of a Scotchman. I may give you the details more minutely at some future day."

"Why, Colonel!" said George, "you should be considerate in your statements. Remember the immense difficulty that has attended Jones's affairs—they're not all settled yet."

"True, George; and I'm afraid they never will be;—but there are some very singular appearances connected with it. I mean no personal disrespect toward those cousins of yours who have figured in the case. 'Tis bad to call names, but there is a mystery about a certain member of our profession getting rich, when poor Jones declares he's got nothing, and Lee has had to give up the house,—I don't say what for." * * *

"Yes, strange things must be kept strangely secret in some parts of the world, and only whispered when there's no wind," said the Captain.

"But that's the only case, Captain," said George;

"and the Colonel was indiscreet in recounting it; for from that you may conceive wrong impressions of the best institutions and laws in the world. Jones was an old fool, led away by his nigger-like affections for them gals of his. He never knew when he was well off, and always wanted to be with white folks when he was here. 'Twould been a great deal better if he'd let them youngest gals gone with Pingree and Allston. They'd have made the tip-top mistresses—been kept like ladies, and not been bothered, and brought all this trouble upon their heads through these infernal abolitionists. I really believe the old fool thought some white man would marry them at one time."

"What harm would there've been in that, providing they're as white as anybody, and got plenty of money, and were handsome? There must be a singular sensibility, that I don't understand, exerting itself in your society," said the Captain laconically.

"Harm! You'd find out the harm. Just live in South Carolina a year or two. 'Tisn't the fair complexion—we don't dispute that—but it's the blood."

"Oh! then the legal objection," said the Captain, "is what is so revolting to society, eh! It may be seen broadcast in licentiousness, then, and custom sustains an immoral element that is devouring the essential bond of society."

"Excuse me, Captain," interrupted the Colonel. "George, you are always taking me upon suppositions. I only related it to the Captain in order to show the power and integrity of our law, and how South Carolinians frequently sacrifice their own interests to maintain it intact. Nothing could be more fatal to its vitality than to make provisions which would entail

legal preferences. The law in regard to free niggers leaving the State should be looked upon in the light of protection rather than alienation, for it is made to protect property and society. Yet where a case is attended with such circumstances as that of Jones's, some disposition to accommodate might have been evinced without endangering the State's sovereignty. And I must also differ with you, George; so far as the girls maintained their self-respect. It was commendable in them to get husbands whom they could live with in the bonds of matrimony. My word for it, George, though I am a Southerner, and may give rein to improprieties at times, nothing can be more pernicious to our society than this destructive system of our first people in keeping mistresses. It's a source of misery at best, depending upon expediency instead of obligation, and results in bringing forth children and heirs with an entailed burden upon their lives, to be disowned, cast off from paternal rights, and left to the tender mercies of the law. We see the curse, yet countenance it—and while it devours domestic affections and has cankered the core of social obligations, we look upon it as a flowery garden as we pass by the wayside. There may be but a shadow between the rightful heir and the doubtful son—the former may enjoy the bounty of his inheritance, but the latter is doomed to know not his sire nor his kinsman, but to suffer the doubts and fears and the dark gloom which broods over a bondman's life."

"By-je-w-hu! Colonel, what in scissors are you preaching about. You must a' got a pull too much at Bakers's. You're giving vent to real abolition sentiments. Exercise your knowledge of the provision that is made for such children. The Captain will

certainly drew incorrect notions about us," said George, with anxiety pictured on his countenance. He knew the Colonel's free, open, and frank manner of expressing himself, and feared lest the famous name of the chivalry should suffer from his unconscious disclosures.

"Provisions! George, you know my feelings concerning that vice which is so universally practised in our community. If you know of any provision, it's more than I do. Perhaps you are older and have had more experience. 'Tis the want of such a provision that is just destroying our institution of slavery!"

At this juncture the Captain interrupted them, and begging that the Colonel would finish the story about Jones, said he had a few questions to ask them after it was through.

"Well," said the Colonel, "Jones died, I believe; but his family are as industrious as ever, and have made money enough to live comfortable; but the stamps have turned out perfect helpmates of the abolitionists, and make their intelligence figure at the bottom of many an escape. But Lee's case is as hard as Jones's. His son went to New York to see his grandfather, and was debarred by the same statute of limitations. Lee, however, was a very capable fellow, and after trying for two years, and finding it would be impossible to return to his father, very shrewdly set about some kind of business, and is now largely engaged in the preserve and pickle business.* The father is now in this city, making a living for his family at *something or other*. He has made several efforts to sell out his little property, but there's some

* Lee's celebrated pickle and preserve establishment, New York.

trouble about the title; and if he leaves it to go and see his son, he knows what the consequences will be; and to leave it for settlement would be to abandon it to the same fate that swallowed up Jones's. Thus the son cannot come to visit his father, nor the father go to visit the son. This, in my opinion, is carrying a prohibition to an extreme point; and although I believe the law should be maintained, I cannot believe that any good arises from it upon such people as the Jones's and Lee's, from the very fact that they never associated with niggers. Hence, where there is no grounds for fear there can be no cause for action," continued the Colonel.

"Just what I wanted to know," said the Captain. "As I informed you, I am driven into your port in distress. Charleston, as you are aware, is in an advantageous latitude for vessels to refit that have met with those disasters which are frequent in the gulf and among the Bahamas. Thus I expected to find good facilities here, without any unkind feeling on the part of the people"——

"Oh! bless me, Captain, you will find us the most hospitable people in the world," said the Colonel.

"But your pilot told me I would have trouble with my steward, and that the law would make no distinction between his being cast upon your shores in distress and subject to your sympathy, and his coming in voluntarily."

"What!" said little George. "Is he a nigger, Captain? Old Grimshaw's just as sure to nab him as you're a white man. He'll buy and sell a saint for the fees, and gives such an extended construction to the terms of the act that you need expect no special favor at his hands. The law's no fiction with him.

I'm sorry, Captain: you may judge his conduct as an index of that of our people, and I know him so well that I fear the consequences."

"No!" said the Captain. "My steward is a Portuguese, a sort of mestino, and one of the best men that ever stepped foot aboard a vessel. He is willing, intelligent, always ready to do his duty, and is a great favorite with his shipmates, and saves his wages like a good man—but he is olive complexion, like a Spaniard. He has sailed under the British flag for a great many years, has been 'most all over the world, and is as much attached to the service as if he was a Londoner, and has got a register ticket. Nothing would pain my feelings more than to see him in a prison, for I think he has as proud a notion of honesty as any man I've seen, and I know he wouldn't commit a crime that would subject him to imprisonment for the world. The boys have been pestering the poor fellow, and telling him about some old fellow they heard the pilot speak about, called Norman Gadsden; they tell him if he catches him they'll sell him for a slave."

"The question is one about which you need give yourself no concern. Our people are not so inhuman but that they will shelter a castaway sailor, and extend those comforts which are due from all humane people. The act under which seamen are imprisoned is the law provided to prohibit free niggers from entering our port, and, in my opinion, was brought into life for the sake of the fees. It's no more nor less than a tax and restriction upon commerce, and I doubt whether it was ever the intention of the framers that it should be construed in this manner. However, so far as your steward is con-

cumed, the question of how far his color will make him amenable to the law will never be raised; the mere circumstance of his being a seaman in distress, thrown upon our sympathies, will be all you need among our hospitable people. I'm not aware of a precedent, but I will guaranty his safety from a knowledge of the feelings of our people. Our merchants are, with few exceptions, opposed to the law in this sense, but such is the power and control of a class of inexperienced legislators, prompted by a most trifling clique of office-holders, that their voice has no weight. I am opposed to this system of dragging people into courts of law upon every pretext. It is practised too much in our city for the good of its name."

Upon this the Colonel and little George accompanied the Captain to his ship, and, expressing their heartfelt regrets at her appearance, bid him good-night—George promising to call upon him in the morning, and the Colonel charging him to give himself no trouble about his steward, that he would see Mr. Grimshaw that night, and make all things straight.

Thus ended the Captain's first night in Charleston, and represented a picture from which he might have drawn conclusions somewhat different from the actual result. Alas! that all the good fellowship and pleasant associations of a people should be disgusted by an absurdity arising from their fears.

The Colonel might have given many other instances equally as painful as that connected with the transportation of Jones and his family, and the fetters that were placed upon poor Lee. He might have instanced that of Malcome Brown, a wealthy, industri-

cus, honest, high-minded, and straight-forward man, now living at Aiken, in South Carolina. Brown conducts a profitable mechanical business, is unquestionably the best horticulturist in the State, and produces the best fruit brought to the Charleston market. What has he done to be degraded in the eyes of the law? Why is he looked upon as a dangerous citizen and his influence feared? Why is he refused a hearing through those laws which bad white men take the advantage of? He is compelled to submit to those which were made to govern the worst slaves! And why is he subjected to that injustice which gives him no voice in his own behalf when the most depraved whites are his accusers? Can it be the little crimp that is in his hair? for he has a fairer skin than those who make laws to oppress him. If he inhaled the free atmosphere from abroad, can it be that there is contagion in it, and Malcomb Brown is the dreaded medium of its communication? And if the statement rung in our ears be true, "*that the free colored of the North suffer while the slave is cared for and comfortable,*" why belie ourselves? Malcomb's influence is, and always has been, with the whites, and manifestly good in the preservation of order and obedience on the part of the slaves. He pursues his avocation with spirit and enterprise, while he is subjected to menial and oppressive laws. His father visited New York, and was forbidden to return. He appealed again and again, set forth his claims and his integrity to the State and her laws, but all was of no avail. He was hopelessly banished, as it were, from ever seeing his son again, unless that son would sacrifice his property and submit to perpetual banishment from the State. If we reflect upon the many paternal as-

sociations that would gladden the hearts of father and child to meet in happy affection, we may realize the effect of that law which makes the separation painful and which denies even the death-bed scene its last cheering consolation.

We have conversed with poor Brown on many occasions, found him a very intelligent man, full of humour, and fond of relating incidents in the history of his family—even proud of his good credit in Charleston. He frequently speaks of his father and the gratifying hope of meeting him at some future day, when he can give vent to his feelings in bursts of affection. He wants his father to return and live with him, because he says he knows they would be more happy together. "I suppose the law was made in justice, and it's right for me to submit to it," he would say when conversing upon its stringency; and it also seems a sort of comfort to him that he is not the only sufferer.

If South Carolina would awake to her own interest, she would find more to fear from the stringency of her own laws than from the influence of a few men coming from abroad.

CHAPTER X.

THE PROSPECT DARKENING.

After the Colonel and little George left the Captain, as we have stated in the foregoing chapter, he descended into the cabin, and found Manuel sitting upon one of the lockers, apparently in great anxiety. He, however, waited for the mate to speak before he addressed the Captain. The mate awoke and informed the Captain that a slender, dark-complexioned man had been aboard a few minutes after he left, making particular inquiries about the steward; that he spoke like an official man, was dressed in black clothes, and wore spectacles.

'I asked him if we'd have any trouble with Manuel, and tried to make him understand that he wasn't a black, and that our situation might excuse us from any annoyance through their peculiar laws. But the old chap seemed mighty stupid about every thing, and talked just as if he didn't know any thing about nothing. 'A nigger's a nigger in South Carolina,' said he dryly, and inquired for a quid of tobacco, which I handed him, and he took one big enough for six. Said I, 'Mister, do you call a man a nigger what's a Portugee and a'n't black?' 'It depends on how he was born,' says he. 'Well, but ye can't make a white man a nigger nohow, whether it's in South Carolina or Scotland,' says I. 'Well, we don't stand upon such things here; we can show you niggers as white as you be, Mr. Mate,' says he. 'But, Mister,

what's to do about our steward, that ye make yer inquiries about him; he ha'n't did nothing,' said I. 'Well, Mr. Mate, it's *contrary to law* to bring nigger stewards into our port. They're a bad set of fellows generally, and we claim the right to lock 'em up to insure their good behavior and keep their bad influence away from our slaves. 'Tis not my office. I observed your arrival and wrecked condition, and merely came to take a look,' said he. 'Well now, Mister, our steward thinks as much of himself as anybody and wouldn't mix with your niggers on any account. But Mister! won't it make a difference because we're cast upon your shore in distress,' says I. 'Not a whit! it's *contrary to law*, and the law's got nothing to do with wind and weather. We love the sovereignty of our law too well to make any discrimination. We're a hospitable people, and always give folks plenty to eat, but we never allow any favors in the law. I'll call and see you in the morning,' said he, and away he went."

This individual was Mr. Grimshaw, the principal mover of the powers *that be*, notwithstanding he asserted that it was not his office, and that he just walked round to take a look.

During his visit on board, Manuel was absent on board a Boston bark, where he met a white steward, who gave him a sad picture of the Charleston jail and the cruel treatment that was inflicted upon prisoners there by starvation. He told him that he was once put in for a trifling offence, and nearly starved to death before he got out. "You will be sure to go there, Manuel," said he, "for they make no distinction; and if a man's a foreigner, and can't speak for himself, he'll stand no chance at all. I'd give 'em the

slip afore I'd suffer such another punishment," he continued.

This so worked upon the poor fellow's mind, that it became a matter of little moment whether he jumped overboard or remained on the ship. He waited until the mate had concluded, and commenced appealing to the Captain in a most pitiful manner. The disgrace of being imprisoned seemed worse than the punishment; and he did not seem to comprehend the intention that he should be imprisoned for no crime in the United States, when he had sailed around the world and visited a majority of its ports, both barbarous and civilized, without molestation. He wanted the Captain to pay him off and let him leave by some vessel in the morning. The Captain endeavored to soothe his fears by assuring him that there was no danger of his being imprisoned; that the people of Charleston had too much good feeling in them to be cruel to a distressed sailor; that the power of the consul was a sufficient guarantee of protection. "You are not among Patagonians, Manuel," said he, "There's no use of working your mind into a fever, you'll be as well taken care of here and be thought as much of as you would in London." This assurance had the effect to soothe his mind, upon which he left the cabin more at ease, and went into the forecastle to turn in with his little companion Tommy. Men had been detailed for the pumps as soon as the flood-tide made, and the Captain retired to his berth.

It seemed there was a mutual understanding between the pilots and officers in regard to the arrival of colored stewards; and the pilot, after leaving the vessel, went directly to Mr. Grimshaw's office and

reported a nut for him to crack: this brought him to the wharf to "look around."

Early in the morning the crew were at their duty. The mate commenced giving orders to clear away the deck, and Manuel to make preparations for breakfast. He had scarcely commenced before two men, Messrs. Dunn and Dusenberry walked up and down the wharf for several minutes, then they would stand together and gaze as if to watch the approach of some vessel in the offing. At length, Dusenberry, seeing Manuel come to the gangway with a bucket in his hand, walked to her side, and, stepping on board, seized him by the collar, and drawing a paper from his pocket, said, "You're my prisoner! you must go to jail—come, be quick, sir; you must not stop to get your things; you must send for them after you're committed."

The mate and several of the crew being near, at once gathered around him. At the same time Dunn, who was standing at the end of the wharf awaiting the result, thinking Dusenberry was opposed, came to his assistance. The officers and crew knew the respect due to the laws too well to oppose any obstacles to the constables in executing their duty. The mate, in a very polite manner, asked as a favor that they would leave the man a few minutes until the Captain came on deck. They yielded to his solicitation after a great deal of grumbling. The arrest made a deep feeling among the seamen, but none felt it more than little Tommy; he heard the noise upon deck, and came running with tears in his eyes, and cried, "Oh! Manuel, why Manuel, what are they going to take you away for? Won't I see you again, Manuel?" The little fellow's simplicity touched the

feelings of all present. But the lame officer, Dunn, stood with a pair of handcuffs in his hand, as unmoved as a stoic, while Dusenberry expressed his impatience, and began to push the boy away, and motion to march him off.

"Hold a bit!" said the mate. "The Captain will be on deck in a few minutes; he wants a word or two with you."

"We can't stop unless we're compensated for our time. 'Tis no use to delay—'twon't do any good; he's a nigger to all intents and purposes. I knew by the curl in his hair—they can't escape me, I've had too much to do with them!" said Dunn. "Yes, to be sure, I can tell a nigger by his ear, if his skin's as white as chalk!" said Dusenberry. "It's all gammon this bringing bright outlandish men here, and trying to pass them off for white folks. 'Twon't stick—you must come up and be registered, and you'll have a good time at the jail, my boy; there's plenty of bright gals in there, and you can have a wife, if you know how to do the courting."

The Captain now came upon deck, and began to remonstrate, begging that they would not take Manuel away until he had seen the British Consul. "I know I can make everything straight. There is no connection to implicate my steward—he's neither a nigger nor a bad man; and I'll pledge you my honor that he shall not leave the ship, or even go upon the wharf, if you will only allow me to see the Consul before you take any further action," he continued.

"That is beyond our power, sir; you must see the sheriff—you'll find him in his office bright and early. But you might as well put your appeal in your pocket, or send it to Queen Victoria, for all Consul Mathew can

do for you. He's been kicking up a fuss for two years; but he might as well wh. do agin a brickbat as to talk his nonsense about English niggers to South-Carolina. He'll get tarred and feathered yet, if he a'n't mighty shy about his movements. Sorry, Captain, we can't accommodate you, but we're only actin' for the sheriff, and his orders are imperative to bring him right up. We must look the fellow up. We don't make the law, nor we ha'n't the power to control it." Thus saying, Dunn took a little key from his pocket and began to turn it in the hand-cuffs.

"What!" said the Captain—"don't attempt to put them things on my man, upon your peril. Is that the way you treat a poor shipwrecked sailor in South Carolina, the State of boasted hospitality? No, sir! I will sacrifice my life before my man shall submit to such a thing," said the Captain, with his Scotch energy aroused.

"Captain!" said Dunn, "we'd not be takin' the advantage of ye because ye're a stranger, but 'tis the law; and if we accommodates ye, sure it'll be at our own risk. But anyhow, Captain, ye'd be keepin' meself an' this gentleman a long time waiting, 'twouldn't be amiss to be giving us the usual perquisite. You won't miss it, and we've a great deal to do for small fees, that niver compensate for the accommodation we be's to give everybody—an' the loss of time's the loss of money."

"Give you a perquisite!—no, indeed; I never pay for such favors. Wait a few moments; I will accompany you myself, if you will not take my honor for his good conduct on the way to prison," continued the Captain.

"Captain, sure ye needn't trouble yerself anyhow; we'll take yer honor that he don't run away, and if he does ye'll stand the odds at the sheriff's. Sure a case would niver pass Mr. Grimshaw's observation; but to plase ye, and considerin' the wreck, meself and Dusenberry 'll put him up without," said Dunn.

During the conversation, Manuel plead hard to be heard before the Consul, having a mistaken idea that the Consul could protect him from all danger; and that if he could get a hearing before him, he was sure to be released. The Captain shook his hand and told him to be contented until the Consul's office opened, when he would come to the jail and see him. Manuel then turned to the crew, and shaking the hands of each, took his little bundle in one hand, and holding little Tommy by the other, (who accompanied him to the head of the wharf,) was soon out of sight.

But will the reader believe what was the practice of these petty officers? We can assure them that such instances as the one we shall relate are not only practised in Charleston to an unlimited extent, but the fact is well known to both magistrates and the public; the former treat it as moonshine, and the latter rail against it, but never take proper action.

Scarcely had little Tommy left them at the head of the wharf, before they intimated that it would be well to consider a morning dram. To this end, they walked into a "Dutch corner shop," and passing into the back room, gave sundry insinuations that could not be misunderstood. "Well! come, who pays the shot?" said Dunn, stopping up to the counter, and crooking his finger upon his nose at a dumpling-faced Dutchman, who stood behind the counter,

waiting for his man to name it. The Dutchman was very short and very thick, leaving the impression that he had been very much depressed in his own country when young. He rubbed his hands and flirted his fingers in motion of anxiety. "Every ting vat de shentleman vant him—dare notin like to my zin and brendty vat him got mit ze zity," said Dutchy.

"Gentlemen, I should be glad to have you drink with me, if it be proper to ask," said Manuel.

"Oh! yes—certainly, yes!—just what we come for; something to cut away the cobwebs—'twouldn't do to go out in the morning fog without a lining," said Dunn.

"Name it! name it! shentlemen," exclaimed the Dutchman, as he rapped his fingers upon the counter, and seemed impatient to draw forth his filthy stuff. They named their drinks, each with a different name. Manuel not being a Charleston graduate in the profession of mixing drinks and attaching slang names to them, Mr. Dusenberry undertook to instruct him in a choice. The Dutchman was an adept at mixing, and the "*morning pulls*" were soon set out to the extreme satisfaction of Dunn and Dusenberry. "All right! tip her down, my old fellow; none o' yer screwed faces over such liquor as that. We drink on the legitimate, in Charleston, and can put it down until we see stars," said Dusenberry, addressing himself to Manuel, who was making a wry face, while straining to swallow the cut-throat stuff.

Dusenberry now left Manuel in charge of Dunn, saying he was going out to attend to some business. Manuel drew from his pocket a quarter of a Colombian doubloon, and throwing it upon the counter, told

the Dutchman to give him change. The Dutchman picked it up, turned it over several times, and squinting at it, inquired, in a very unpretending manner, what its value was. He knew already, yet this was only done to try Manuel. At the same moment he winked to Dunn, who, stepping up, gave it a significant toss upon the counter. "The divil a bit more than two dollars; all right, Swizer," said he.

"'Tis four dollar, West Inge—I want my change," said Manuel, shrugging his shoulders. "I no want no more than my own; and no man to cheat-e me."

"Don't be bothering with your four dollars—sure ye a'n't in the West Inges now; and money's plenty in Charleston, and I can't bring up so much—half so much. Don't be bothering with yer West Inge nonsense. If ye try to raise a fuss here, I'll make the Captain suffer. Ye must learn that it won't do for a nigger to dispute a white man in Charleston; we'd twitch ye up by the same law; we'd put it to our own niggers, and ye'd git trised up, and about fifty paddles on yer bare butt." The Dutchman put down a dollar and seventy cents, but Manuel refused to take it up; when this fellow, Dunn, pretending to be the friend of Manuel, held out his hand, and telling the bar-keeper to put another dollar, which he did, he passed it hurriedly into Manuel's hand, and making a pass, told him to put it into his pocket.

It was now about good business time for the Dutchman, and his customers were coming in with their bottles and pots in great numbers. The place was a little filthy hole, very black and dirty, about twelve feet long, and seven feet wide, with a high board counter almost in the centre. The only stock-in-trade that decorated it, was a few barrels of lager

beer; several kegs, with names to set forth the different qualities of liquors painted upon them; a bushel basket about half full of onions, and a few salt-fish in a keg that stood by the door. Around the room were several benches similar to those in guard-houses. Upon two of them were stretched two ragged and filthy-looking negroes, who looked as if they had been spending the night in debauchery. Dunn, as if to show his authority, limped toward them, and commenced fledging their backs with his hickory stick in a most unmerciful manner, until one poor old fellow, with a lame hand, cried out for mercy at the top of his voice.

"It's a bad business keeping these niggers here all night, Swizer—you know I've done the clean thing with you several times," said Dunn, pointing his finger at the Dutchman; who winked, and coming from behind the counter, slipped something into his hand, and stepping to the door, assumed some threatning language against the negroes, should they *ever* came back to his store. A large portion of those who came for liquor were negroes, who looked as if they were parting with their last cent for stimulant, for they were ragged and dirty, and needed bread more than liquor. Their condition seemed pitiful in the extreme, and yet the Dutch "corner-shop keeper" actually got rich from their custom, and so craving was he upon their patronage, that he treated them with much more courtesy than his white customers.*

* These "Dutch corner-shops" are notorious places in Charleston, and are discountenanced by respectable citizens, because they become the rendezvous of "niggers," who get into bad habits and neglect their masters' or mistresses' business. Yet, the keepers

It is strictly "contrary to law in Charleston," to sell liquor to a negro without an order from a white man; the penalty being fine and imprisonment. Yet, so flagrant has become the abuse, that it is notorious that hush-money is paid by a certain class of Dutch liquor-sellers to the officers. In nearly all the streets of Charleston, where there is a shanty or nook large enough to hold a bottle and some tumblers, these wretches may be found dealing out their poisonous drugs to a poor, half-starved class of negroes, who resort to all kinds of dishonest means to get money to spend at their counters. These places are nearly all kept by foreigners, whose merciless avarice scruples at nothing, however mean. They soon become possessed of considerable means, and through their courtesy and subserviency to the negro—for they are the only class of whites that will beg his pardon, if they have offended him—carry on a sort of active rivalry with each other for his custom. It is from

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exert such an influence at elections, that the officials not only fear them, but in order to secure their favors, leave their rascality unmolested. Well might a writer in the Charleston Courier of August 21, 1852, say—

"We were astonished, with many others, at the sweeping charges made in the resolutions passed at the Hurricane meeting at Natt's Hall, and were ready to enlist at once to lend our voice to turn out an 'administration' that for two years permitted 'moral sentiment to be abandoned,' 'truthfulness disregarded,' 'reverence for religion obliterated,' 'precedent to religious freedom refused,' 'licentiousness allowed,' 'and a due administration for vice, neglected.'" These charges stand unrefuted, and with but one or two exceptions, we have never known, one of these unlawful corner shops prosecuted by the present administration. And those single instances only where they were driven to notice the most flagrant abuses.

these miserable hells that seven-tenths of the crimes arise, for which the poor negro is dragged to the work-house and made to suffer under the paddle.

And yet these very men, whose connivance at vice and crime is disregarded by the law, rise and take position in society—not only entering into more respectable business—but joining [illegible] phalanx who are seeking the life-blood of the old [illegible]ermer, and like a silent moth, working upon his [illegible]. There is a deep significance in the answer so frequently given in Charleston to the interrogatory, "Who lives in that splendid dwelling—it seems to have been the mansion of a prince, but is somewhat decayed?"

"Oh! bless me, yes! It was once the mansion of the So-and-so, one of the first families, but they are very poor now. Mr. What-you-may-call-em owns it now—they say he didn't get it honestly. He kept a little grog-shop on the Bay, or sold bacon and whisky on the Bay, and made awful charges against poor So-and-so, and after a long trial in Chancery he got his house. He's a big fellow, now, I tell you, and is going to fit the house up for himself!"

Dunn told Manuel to be seated, that there was no occasion for hurrying; it would be all right if he got to the sheriff's office at nine o'clock; and then commenced descanting upon the fine time he would have at the jail. "There's a right good lot of company there, me boy; ye'll have fiddling and dancing, plenty of grub, and a jolly time; and ye can't a criminal, ye know, so it won't be any thing at all, only keep up a stiff under-lip. Come, let us take another drink; I feel mighty husky this morning!" said he.

Just at this time Dusenberry re-entered, puffing and

blowing as if he had been engaged in a foot-race: "Another bird for old Grimshaw, at Commercial Wharf! I know'd he had one [illegible], [illegible] I scoff him from the wharf," said he, in perfect [illegible], pulling out a pencil and making a note in a [illegible] book.

"Don't be a child," said Dunn. "[illegible] just proposed another drink; you join [illegible] river says no, [illegible] Dunn?" They [illegible] counter, and Dunn, again pointing [illegible] his nose at the Dutchman, who [illegible] spread upon the counter, called for [illegible] bitters, Stoughton light. Turning to Manuel, who was sitting upon a bench with his head reclined upon his hand, apparently in deep meditation, he took him by the collar in a rude manner, and dragging him to the counter, said, "Come, by the pipes, rouse up your spirits, and don't be sulking, my old Portugee; take another O-be-joyful, and it'll put ye all right, and ye'll dance a hornpipe like a jim-crack."

"Excuse me, sir; I think I have taken enough; do, please, either take me back to my vessel, or where you are going to. This is no place for me!" said Manuel.

"Sure, what signifies [illegible] talking [illegible] bothering here; a nigger mustn't [illegible] Come, there's no use backing out; you [illegible] glass of Schaff's lager beer," [illegible]

Manuel looked around him, [illegible] frightfully, the Dutchman [illegible] frothy beer, and the three [illegible] They then retired to a bench and [illegible] ing the propriety of some point of [illegible] logos, while Manuel was left standing [illegible]

"Who pay de drink yat shu get?" inquired the Dutchman, anxious to serve two little niggers who had just come in with bottles in their hands.

"It was our friend's treat; come, my good fellow, do the clean thing according to Southern science. We'll put a good word in for you to the jailer; you won't lose nothing by it," said Dusenberry.

"My friend, I work hard for my money, and have never squandered foolishly. The small amount in of little consequence, but I would much sooner make you a present of it, than to be drugged by pretence. I've no design of indulging the propensities of others. Whatever you are going to do with me, do it; and let me know my fate. I am sick and fatigued, and have need for the doctor. Take me to a prison or where you please. I have done no crime; I want sleep, not punishment. Next time I shipwrecked, I get plank and go overboard 'fore I cum to Charleston." So saying, he pulled out fifty cents and threw it upon the counter, and the Dutchman swept it into the drawer as if it was all right, and "just the change."

"Shut up, you black rascal, you; you mustn't talk that way in South Carolina; we'll have you stretched on the frame and paddled for insolence to a white man. D—n me, if you have such a hurry for it, just come along," said Dusenberry; and reaching his hand over to Manuel, took the handcuffs from him and attempted to put them on Manuel's wrists. The poor fellow struggled and begged for more than two minutes, when wellnigh overpowering them, when Dusenberry drew a long dirk-knife from his bosom, and held it in a threatening attitude at his breast, accompanying it with those fierce yells such as are common

to slave-owners, whose business it is to hunt and run down runaway niggers with bloodhounds. "Submit, you black villain, or I'll have your heart's blood; bring a rope, and we'll trice him up here. Jump, be quick, Swiss!" said he, addressing himself to the Dutchman. The Dutchman ran into the front apartment, brought out a cord similar to a clothes-line, and commenced to unde it.

"Do you give up now?" said Dusenberry, still holding the knife pointed at him. Manuel was in the habit of carrying a poniard when on shore in foreign countries, and put his hand to his breast-pocket to feel for it. He remembered that he had left it in his chest, and that resistance would be useless against a posse giving expression to such hostility to him. The shackles were put upon his hands with ruffianly force.

"Oh! am I a man, or am I a brute? What have I done to receive such treatment? May God look down upon me and forgive me my transgressions; for in his hands are my rights, and he will give me justice," said Manuel, looking his cruel torturers in the face.

"A man! No, by heavens, you're a nigger; an' it's that we'd be teaching you! Come, none of yer sermons here, trot off! We'll give you a handkerchief to cover your hands if you're so d—d delicate about walking through the streets," said Dunn, throwing him an old red handkerchief, and marching him along through Broad street. Dusenberry now left him entirely in the charge of Dunn; while, as he said, he went to Adger's Wharf to keep his eye on another vessel that was approaching the dock. The tricks of this man Dunn were well known to those connected with the police and sheriff's office; but,

instead of being displaced for his many offences, he was looked upon by *them* as the best officer upon the rolls; and in fishing for mischievous niggers he was held as a perfect paragon. In this instance he was not contented with the outrages he had inflicted upon Manuel at the Dutch grog-shop, which he had forced him into, but he would stop in the public street to hold conversation with every *cous* he met, and keep the poor man standing for public gaze, like chained innocence awaiting the nod of a villain. The picture would have been complete, if a monster in human form were placed in the foreground applying the lash, according to the statute laws of South Carolina.

CHAPTER XI.

THE SHERIFF'S OFFICE.

It is nine o'clock, on the morning of the 24th March, 1852. Manuel was marched into the sheriff's office, situated in the court-house, on the corner of Broad and Meeting streets. A large table stood in the centre of the room, covered with sundry old papers and an inkstand. At one side was an old sofa, bearing strong evidence of its being worn out at the expense of the State. A few pine-wood and painted book-stands, several tip-staffs, old broken-backed chairs, and last, but not least, a wood-sawyer's buck-saw, stood here and there in beautiful disorder around the room; while, as if to display the immense importance of the office, a "*cocked*" hat with the judicial sword hung conspicuously above the old sofa. A door opened upon the left hand, leading into the clerk's office, where the books and archives of the office were kept. Mr. Kanapeaux, the incumbent, exhibited a great deal of good feeling, which it would have lost the sheriff none of his reputation to pattern after, and kept his office in very respectable order.

"Come in 'ere, Manwell, or whatever yer name is," said Dunn, as he led the way into the presence of Mr. Grimshaw, the lean, haggard-looking man we have before described. His dark, craven features, as he sat peering through his glasses at the morning news, gave him the appearance of a man of whom

little was to be expected by those who had the misfortune to fall into his hands.

"Ah! Dunn, you are the best officer in the city, 'pon my soul! These fellows can't escape you! Where did you pick up that nigger?" said he, with a look of satisfaction.

"A fat fee case, Mr. Grimshaw, *contrary to law*; he's a Portugee nigger. Never had so much trouble with a nigger in my life; I didn't know but the fellow was going to preach a sermon. The Captain—he belongs to a wrecked Englishman—wanted to come the gammon game with him, and pass him for a white man; but sure he couldn't come that game over meself and Duse, anyhow," said Dunn.

Without saying a word, Manuel stood up before his accusers, upon this strange charge of "*contrary to law.*"

As he looked upon his accusers, he said, "What have I done to suffer a murderer's fate? Am I to be sold as a slave, because of the visitation of God? I have done no murder! No!—nor have I stolen in your land! and why did these men decoy me into"——

"Silence! silence! You are in the sheriff's office," said Dunn, pointing his finger at his nose. "You can't come your John Hall nigger in South Carolina."

This brought the sheriff's clerk to the door that led into the passage. "Dunn, I have warned you about these things several times; the public are getting wind of them; they'll bring this office into [illegible]epute yet. You ought to know what effect [illegible] association of officials with these 'corner-shop [illegible]pers' is already having in the community," said he.

"How the divil do ye know what yer talking about; sure it's his honor's bisniss, and not yours at all, at all," said Dunn, addressing himself to Mr. Kanapeaux, and then looking at Mr. Grimshaw.

"Mr. Kanapeaux, you must not interfere with the officers and their duty; attend to your business, and get your book ready to register this nigger-boy," said Grimshaw.

"Well, now, my good fellow," continued Grimshaw. "I dislike this business very much; it don't pay me enough for all the bother I have with it. 'Tis just a little filtering of fees, which makes the duty of my office exceedingly annoying. But we must respect the law. We do these things to protect our institutions and make them as light as possible. I might give you a great deal of trouble; I have the power, but I make it a point to consider men in your case, and we'll make you so comfortable that you won't think of being imprisoned. You must understand that it is '*contrary to law*' to come among our niggers in this way; it gives them fanciful ideas. There's such an infernal imperfect state of things as these abolitionists are getting every thing into, behooves us to watch the communications which are going on between designing people and our slaves. We are a *hospitable people*—the world knows that—and have a religious respect for our laws, which we enforce without respect to persons. We'd like to let you go about the city, but then it's '*contrary to law*.' Make up your mind, my good fellow, that you are among humane people, who will seek to benefit you among men of your class. Make yourself happy—and look upon me as a friend, and you will never be deceived. I control the jail, and my prisoners

are as much attached to me as they would be to a father."

"It must be humanity that puts these symbols of ignominy on my hands," said Manuel; "that confines me in a dungeon lest I should breathe a word of liberty to ears that know it only as a fable."

Nobody had asked him to sit down, and, feeling the effect of his sickness and fatigue, he turned around as if to look for something to rest against. "You must not sit down,—take off your hat!" said Grimshaw.

The poor fellow made an effort, but could not effect it with the fetters on his hands; at which, Dunn stepped up, and snatching it from his head, flung it upon the floor. "You should learn manners, my good fellow," said Grimshaw, "when you come into a sheriff's office. It's a place of importance, and people always pay respect to it when they come into it; a few months in Charleston would make you as polite as our niggers."

"Had you not better take the irons off the poor fellow's hands?—he looks as if he was tired out," said Mr. Kanapeaux, the clerk, who again came to the door and looked upon Manuel with an air of pity. The words of sympathy touched his feelings deeply; it was a simple word in his favour, so different from what he had met since he left the vessel, that he felt a kind friend had spoken in his behalf, and he gave way to his feeling in a gush of tears.

"Good suggestion, Mr. Kanapeaux!" said Grimshaw. "Better take 'em off, Mr. Dunn; I don't think he'll give you any more difficulty. He seems like a *likely fellow*, and knows, if he cuts up any nigger rascality in Charleston, he'll be snapped up. Now, my good fellow, put on your best-natured

trustee, and stand as straight as a ramrod. Mr. Minnapeaux, get your book ready to register him," demanded Grimshaw.

Manuel now stood up under a slide, and his height and general features were noted in the following manner, in order to appease that sovereign dignity of South Carolina law, which has so many strange devices to show its importance:—

"*Contrary to Law.*"

Violation of the Act of 1821, as amended, &c. &c.

Manuel Pereira on State of South Carolina,

Seaward

on board British Brig Janson, Captain Thompson.

Entered 24th March, 1852.

Height, 5 feet 8½ inches.

Complexion, light olive, (bright.)

Features, sharp and aquiline.

[Hair and eyes, dark and straight; the former inclined to curl.]

General remarks:—Age, twenty-nine; Portuguese by birth; speaks rather broken, but politely; is intelligent, well formed, and good looking.

Fees to Sheriff:

To arrest, $2—Registry, $2	$4 00
" Recog. $1.31—Constable $1	2 31
" Commitment and discharge, ...	1 00
	$7 31

Jail fees to be added when discharged.

After these remarks were duly entered, and Mr. Grimshaw read another lecture to him on the importance of South Carolina law, and the kindness he would receive at his hands if he made himself con-

tested, he was told that he could go and be committed. The poor fellow had stood up until he was nearly exhausted; yet, it was not enough to gratify the feelings of that miserable miscreant, Dunn. Scarcely had he left the sheriff's office, or passed two squares from the court-house, before he entered another Dutch grog-shop, a little more respectable in appearance—but not in character. They entered by a side door, which led into a back apartment provided with a table and two wooden benches. As Dunn entered, he was recognised by two negro-fellows, who were playing dominoes at the table. They arose and ran through the front store, into the street, as if some evil spirit had descended among them. The Dutchman sprang for the dominoes, and quickly thrust them into a tin measure which he secreted under the counter.

"Ah! Dryden!" said Dunn, "you vagabond, you! up to the old tricks again! Ye Dutchmen are worse than the devil! It's meself 'll make ye put a *fine* for that. Come, fork it over straight, and don't be muttering yer Dutch lingo!"

"Vat will drink mit me dis morning? Misser Dunn—a bad fellow vat comes in my shop," said Dryden.

"Ah! stop yer botheration, and don't be comin' yer Dutch fogger over an Irishman! put down the five dollars, and we'll take the drinks presently; meself and me friend here'll drink yer health," said Dunn, pointing to Manuel, who shook his head as much as to decline. The Dutchman now opened his drawer, and rolling a bill up in his fingers, passed it as if unobserved into the hands of Dunn.

"Now, Dryden," said Dunn, "if ye want to do the

clean thing, put a couple of brandy smashes—none of your d—d Dutch cut-throat brandy—the best old stuff. Come, me old chuck, (turning to Manuel and pulling him by the whiskers,) cheer up, another good stiff'ner will put you on your taps again. South Carolina's a great State, and a man what can't be happy in Charleston, ought to be put through by daylight by the abolitionists."

The Dutchman soon prepared the smashes, and supplying them with glasses, put them upon the table, and seated chairs close at hand. "Excuse me!" said Manuel, "I've drunk enough already, and should like to lie down. I am unwell, and feel the effect of what I have already taken. I am too feeble. Pray tell me how far the prison is from here, and I will go myself."

"Go, is it?—the divil a go ye'll go from this until ye drink the smash. None of yer Portugee independence here. We larn niggers the politeness of gintlemen in Charleston, mo buck!" and seizing him by the collar, dragged him to the table, then grasping the tumbler with the other hand, he held it before his face. "Do you see that? and, bodad, ye'll drink it, and not be foolin', or I'd put the contents in your phiz," said he.

Manuel took the glass, while the Dutchman stood chuckling over the very nice piece of fun, and the spice of Mr. Dunn's wit, as he called it. "Vat su make him vat'e no vants too? You doz make me laugh so ven su comes 'ere, I likes to kilt myself," said Dryden.

A bright mulatto-fellow was now seen in the front store, making quizzical signs to the Dutchman, who understanding its signification, lost no time in slipping

into his pocket a tumbler nearly half full of brandy and water; and stepping behind the division door, passed it slily to the mulatto, who equally as slily passed it down his throat; and putting a piece of money into the Dutchman's hand, stepped up to the counter, as if to wait for his change. "All right!" said the Dutchman, looking around at his shelves, and then again under the counter.

"No so!" said the mulatto; "I want fourpence; gub done dat befor' several timen; I wants my money."

"Get out of my store, or I'll kick you out," said the Dutchman, and catching up a big club, ran from behind the counter and commenced belaboring the negro over the head in a most unmerciful manner. At this, the mulatto retreated into the lane, and with a volley of the vilest epithets, dared the Dutchman to come out, and he would whip him.

Dunn ran to the scene, and ordered the negro to be off, and not use such language to a white man, that it was "*contrary to law*," and he would take him to the workhouse.

"Why, massa, I knows what 'em respect white men what be gemmen like yorself; but dat Dutchman stand de'h a'n't no gentlem', he done gone tiefe my money seven time; an' I whip him sure—jus' lef' him come out here. I doesn't care for true, and God saw me, I be whip at the wukhouse next minute. He tief, an' lie, an 'e cheat me." The Dutchman stood at the door with the big stick in his hand—the negro in the middle of the lane with his fists in a pugilistic attitude, daring and threatening; while the limping Dunn stood by the side of the Dutchman, acting as a mediator. Manuel, taking advantage of the opper-

tunity, emptied his tumbler down a large opening in the floor.

It is a notorious fact in Charleston, that although the negro, whether he be a black or white one, is held in abject obedience to the *white man proper*, no matter what his grade may be, yet such is the covetous and condescending character of these groggery keepers, that they become courteous to the negro and submit to an equality of sociability. The negro, taking advantage of this familiarity, will use the most insulting and abusive language to this class of Dutchmen, who, either through cowardice, or fear of losing their trade, never resent it. We may say, in the language of Dunn, when he was asked if negroes had such liberties with white men in Charleston, "A nigger knows a Dutch shopkeeper better than he knows himself—a nigger dare not speak that way to anybody else."

The Dutchman gets a double profit from the negro, and with it diffuses a double vice among them, for which they have to suffer the severest penalty. It is strictly "contrary to law" to purchase any thing from a negro without a ticket to sell it, from his master. But how is this regarded? Why, the shopkeeper foregoes the ticket, encourages the warehouse negro to steal, and purchases his stealings indiscriminately, at about one-half their value. We might enumerate fifty different modes practised by "*good*" legal voting citizens—totally regardless of the law—and exerting an influence upon the negro tenfold more direful than that which could possibly arise from the conversation of a few respectable men belonging to a friendly nation.

Dunn, after driving the mulatto man from the

door and upbraiding the Dutchman for his cowardice, returned to the table; and patting Manuel upon the back, drank the balance of his smash, saying, "Come, me good fellow, we must do the thing up brown, now; we've got the Dutchman nailed on his own hook. We must have another horn; it's just the stuff in our climate; the 'Old Jug's' close by, and they'll be makin' a parson of you when you get there. We've had a right jolly time; and ye can't wet your whistle when ye're feraint the gate."

"I don't ask such favors, and will drink no more," said Manuel.

"Fill her up, Drydes! fill her up! two more smashes—best brandy and no mistake. You must drink another, my old chuck—we'll bring the pious notions out o' ye in Charleston," said Dunn, turning around to Manuel.

The Dutchman filled the glasses, and Dunn, laying his big hickory stick upon the counter, took one in each hand, and going directly to Manuel, "There, take it, and drink her off—no humbugging; yer mother niver gave such milk as that," said he.

"Excuse me, sir; I positively will not!" said Manuel, and no sooner had he lisped the words, than Dunn threw the whole contents in his face. Enraged at such outrageous conduct, the poor fellow could stand it no longer, and fetched him a blow that levelled him upon the floor.

The Dutchman ran to the assistance of Dunn, and succeeded in relieving him from his unenviable situation. Not satisfied, however, they succeeded, after a hard struggle, in getting him upon the floor, when the Dutchman—after calling the assistance of a miserable negro, held him down while Dunn beat him with his

stick. His cries of "Murder" and "Help" resounded throughout the neighbourhood, and notwithstanding they attempted to gag him, brought several persons to the spot. Among them was a well-known master builder, in Charleston—a very muscular and a very humane man. The rascality of Dunn was no new thing to him, for he had had practical demonstrations of it upon his own negroes,—who had been enticed into the "*corner shops*" for the double purpose of the Dutchmen getting their money, and the officers getting hush-money from the owner.

The moment he saw Dunn, he exclaimed, "Ah! you vagabond!" and springing with the nimbleness of a cat, struck the Dutchman a blow that sent him measuring his length, into a corner among a lot of empty boxes; then seizing Dunn by the collar, he shook him like a puppy, and brought him a slap with his open hand that double-dyed his red face, and brought a stream of claret from his nose; while the miserable nigger, who had been struggling to hold Manuel down, let go his hold, and ran as if his life was in danger. The scene was disgusting in the extreme. Manuel arose, with his face cut in several places, his clothes bedaubed with filth from the floor, and his neck and shirt-bosom covered with blood; while the aghast features of Dunn, with his red, matted hair, and his glaring, vicious eyes, bespattered with the combined blood of his victim and his own nasal organ, gave him the most fiendish look imaginable.

The gentleman, after reprimanding the Dutchman for keeping up these miserable practices, which were disgracing the community, and bringing suffering, starvation, and death upon the slaves, turned to

Dunn, and addressed him. "You are a pretty officer of the law! A villain upon the highway—a disgrace to your color, and a stain upon those who retain you in office. A man who has violated the peace and every principle of honest duty, a man who every day merits the worst criminal punishment, kept in the favor of the municipal department, to pollute its very name. If there is a spark of honesty left in the police department, I will use my influence to stop your conduct. The gallows will be your doom yet. You must not think, because you are leagued in the same traffic,* that you are to go unpunished. And you, Dryden," said he, turning to the Dutchman, "I shall enter you upon the information docket, as soon as I go down into the city."

"Zeu may tu vat zeu plas mit me—to mayor bees my friend, an' he knows vet me ans. Yuz sees zel no bronty, no zin! Vot yu to mit do fine, ah?" * * *

"I'd like to see you do that same agin, Mr. ——. It wouldn't be savin' yerself a pace-warr[illegible] and another for assault and battery! Sure magistra[illegible]yles is a first-rate friend of me own, and he'd not suffer

* Dunn kept one of the worst and most notorious drinking-shops in Charleston, but, to reconcile his office with that strict requirement which never allowed any thing—"*contrary to law*" in Charleston, he made his wife a "*free trader*." This special act of South Carolina may in effect be classed among its many singular laws. It has an exceedingly accommodating effect among bankrupt husbands, and acts as a masked battery for innumerable sins *in a business or official line*. It so happens, *once in a while*, that one of the "*fair free dealers*" gets into limbo through the force of some ruthless creditor; and the "Prison Bounds Act," being very delicate in its bearings, frequently taxes the gallantry of the chivalrous gentlemen of the Charleston bar.

me imposed one. The d—ed nigger was obstinate and wouldn't go to jail," said Dunn in a cowardly, whimpering manner.

"Oh yes, me heard mit 'im swore, vat he no go to gale!" rejoined the Dutchman anxiously.

"Tell me none of your lies," said he; "you are both the biggest rascals in town, and carry on your concerted villany as boldly as if you had the control of the city in your hands." Manuel was trembling under the emotions of grief and revenge. His Portuguese blood would have revenged itself at the poniard's point, but fortunately he had left it in his chest. He saw that he had a friend at his hand, and with the earnestness of a child, resigned himself to his charge.

In a few minutes quiet was produced, and the gentleman expressing a desire to know how the trouble originated, inquired of Manuel how it was brought about. But no sooner had he commenced his story, than he was interrupted by Dunn asserting his right, according to the laws of South Carolina, to make his declaration, which could not be refuted by the negro's statement, or even testimony at law; and in another moment jumped up, and taking Manuel by the collar, commanded him to come along to jail; and turning to the gentleman, dared him to interfere with his duty.

"I know how you take people to jail, very well. I'll now see that you perform that duty properly, and not torture prisoners from place to place before you get there. You inflict a worse punishment in taking poor, helpless people to jail, than they suffer after they get there!" said he; and immediately joined Manuel and walked to the jail with him.

CHAPTER XII.

THE OLD JAIL.

THERE are three institutions in Charleston—either of which would be a stain upon the name of civilization—standing as emblems of the time-established notions of a people, and their cherished love for the ancestral relics of a gone-by age. Nothing could point with more unerring aim than these sombre monuments do, to the distance behind the age that marks the thoughts and actions of the Charlestonians. They are the poor-house, hospital, and jail; but as the latter only pertains to our present subject, we prefer to speak of it alone, and leave the others for another occasion. The workhouse may be said to form an exception—that being a new building, recently erected upon a European plan. It is very spacious, with an extravagant exterior, surmounted by lofty semi-Gothic watch-towers, similar to the old castles upon the Rhine. So great was the opposition to building this magnificent temple of a workhouse, and so inconsistent, beyond the progress of the age, was it viewed by the "*manifest ancestry*," that it caused the mayor his defeat at the following hustings. "*Young Charleston*" was rebuked for its daring progress, and the building is marked by the singular cognomen of "Hutchinson's Folly." What is somewhat singular, this magnificent building is exclusively for negroes. One fact will show how progressive has been the science of law to govern the negro, while those to

which the white man is subjected are such as good old England conferred upon them some centuries ago. For felonious and burglarious offences, a white man is confined in the common jail; then dragged to the market-place, stripped, and whipped, that the negroes may laugh "*and go see buckra catch it;*" while a negro is sent to the workhouse, confined in his cell for a length of time, and then whipped according to modern science,—but nobody sees it *except* by special permission. Thus the negro has the advantage of science and privacy.

The jail is a sombre-looking building, with every mark of antiquity standing boldly outlined upon its exterior. It is surrounded by a high brick wall, and its windows are grated with double rows of bars, sufficiently strong for a modern penitentiary. Altogether, its dark, gloomy appearance strikes those who approach it, with the thought and association of some ancient cruelty. You enter through an iron-barred door, and on both sides of a narrow portal leading to the right are four small cells and a filthy-looking kitchen, resembling an old-fashioned smoke-house. These cells are the debtors'; and as we were passing out, after visiting a friend, a lame "molatto-fellow" with scarcely rags to cover his nakedness, and filthy beyond description, stood at what was called the *kitchen door*. "That poor dejected object," said our friend, "is the cook. He is in for misdemeanor—one of the peculiar shades of it, for which a nigger is honored with the jail." "It seems, then, that cooking is a punishment in Charleston, and the negro is undergoing the penalty," said we. "Yes!" said our friend; "but the poor fellow has a sovereign consolation, which few niggers in Charleston can boast of—and none of

the prisoners here have—he can get enough to eat."

The poor fellow held out his hand as we passed him, and said, "Massa, gin poor Abe a piece o' 'bacca?" We freely gave him all in our possession.

On the left side, after passing the main iron door, are the jailer's apartments. Passing through another iron door, you ascend a narrow, crooked stairs and reach the second story; here are some eight or nine miserable cells—some large and some small—badly ventilated, and entirely destitute of any kind of furniture: and if they are badly ventilated for summer, they are equally badly provided with means to warm them in winter. In one of these rooms were nine or ten persons, when we visited it; and such was the morbid stench escaping from it, that we were compelled to put our handkerchiefs to our faces. This floor is appropriated for such crimes as assault and battery; assault and battery, with intent to kill; refractory seamen; deserters; violating the statutes; suspicion of arson and murder; *witnesses*; all sorts of crimes, varying from the debtor to the positive murderer, burglar, and felon. We should have enumerated, among the rest, all stewards, (colored,) whether foreign or domestic, who are committed on that singular charge, "*contrary to law.*" And it should have been added, *even though cast away upon our "hospitable shores."* Among all these different shades of criminals, there must be some very bad men. And we could recount three who were pointed out to us as very dangerous men, yet were allowed the favor of this floor and its associations. One was an Irish sailor, who was sentenced to three years and nine months' imprisonment by the United States court,

for revolt and a desperate attempt to murder the captain of a ship; the next was a German, a soldier in the United States army, sentenced to one year and eight months' imprisonment for killing his comrade; and the third was an English sailor, who *killed a woman*—but as she happened to be of doubtful character, the presiding judge of the sessions sentenced him to a *light* imprisonment, which the Governor very condescendingly pardoned after a few weeks.

The two former acted as attendants, or deputy jailers; with the exception of turning the key, which privilege the jailer reserved for himself exclusively. The principle may seem a strange one, that places men confined upon such grave charges in a superior position over prisoners; and may be questionable with regard to the discipline itself.

From this floor, another iron door opened, and a winding passage led into the third and upper story, where a third iron door opened into a vestibule, on the right and left of which were grated doors secured with heavy bolts and bars. These opened into narrow portals with dark, gloomy cells on each side. In the floor of each of these cells was a large iron ring-bolt, doubtless intended to chain refractory prisoners to; but we were informed that such prisoners were kept in close stone cells, in the yard, which were commonly occupied by negroes and those condemned to capital punishment. The ominous name of this third story was "Mount Rascal," intended, no doubt, as significant of the class of prisoners it contained. It is said that genius is never idle: the floor of these cells bore some evidence of the fact in a variety of very fine specimens of carving and flourish work, done with a knife. Among them was a well-executed crucifix, with the

Redeemer, on Calvary—an emblem of hope, showing how the man marked the weary moments of his durance. We spoke with many of the prisoners, and heard their different stories, some of which were really painful. Their crimes were variously stated, from that of murder, arson, and picking pockets, down to the felon who had stolen a pair of shoes to cover his feet; one had stolen a pair of pantaloons, and a little boy had stolen a few door-keys. Three boys were undergoing their sentence for murder. A man of genteel appearance, who had been sentenced to three years imprisonment, and to receive two hundred and twenty lashes in the market, at different periods, complained bitterly of the injustice of his case. Some had been flogged in the market, and were awaiting their time to be flogged again and discharged; and others were confined on suspicion, and had been kept in this close durance for more than six months, awaiting trial. We noticed that this worst of injustice, "the law's delay," was felt worse by those confined on the suspicion of some paltry theft, who, even were they found guilty by a jury, would not have been subjected to more than one week imprisonment. Yet such was the adherence to that ancient system of English criminal jurisprudence, that it was almost impossible for the most innocent person to get a hearing, except at the regular sessions, "which sit seldom, and with large intervals between." There is indeed a city court in Charleston, somewhat more modern in its jurisprudence than the sessions. It has its city sheriff, and its city officers, and holds its terms more frequently. Thus is Charleston doubly provided with sheriffs and officials. Both aspire to a distinct jurisdiction in civil and criminal cases.

Prisoners seem mere shuttlecocks between the sheriffs, with a decided advantage in favor of the county sheriff, who is autocrat *in rei* over the jail; and any criminal who has the good fortune to get a hearing before the city judge, may consider himself under special obligation to the county sheriff for the *favor*.

We noticed these cells were much cleaner than those below, yet there was a fetid smell escaping from them. This we found arose from the tubs being allowed to stand in the rooms, where the criminals were closely confined, for twenty-four hours, which, with the action of the damp, heated atmosphere of that climate, was of itself enough to breed contagion. We spoke of the want of ventilation and the noxious fumes that seemed almost pestilential, but they seemed to have become habituated to it, and told us that the rooms on the south side were lighter and more comfortable. Many of them spoke cheerfully, and endeavored to restrain their feelings, but the furrows upon their haggard countenances needed no tongue to utter its tale.

Hunger was the great grievance of which they complained; and if their stories were true—and we afterward had *strong proofs* that they were—there was a wanton disregard of common humanity, and an abuse of power the most reprehensible. The allowance per day was a loaf of bad bread, weighing about nine ounces, and a pint of thin, repulsive soup, so nauseous that only the most necessitated appetite could be forced to receive it, merely to sustain animal life. This was served in a dirty-looking tin pan, without even a spoon to serve it. One man told us that he had subsisted on bread and water for nearly five weeks—that he had lain down to sleep in the afternoon

and dreamed that he was devouring some wholesome nourishment to stay the cravings of his appetite, and awoke to grieve that it was but a dream. In this manner his appetite was doubly aggravated, yet he could get nothing to appease its wants until the next morning. To add to this cruelty, we found two men in close confinement, the most emaciated and abject specimens of humanity we have ever beheld. We asked ourselves, "Lord God! was it to be that humanity should descend so low?" The first was a forlorn, dejected-looking creature, with a downcast countenance, containing little of the human to mark his features. His face was covered with hair, and so completely matted with dirt and made fiendish by the tufts of coarse hair that hung over his forehead, that a thrill of horror invaded our feelings. He had no shoes on his feet; and a pair of ragged pantaloons, and the shreds of a striped shirt without sleeves, secured around the waist with a string, made his only clothing. In truth, he had scarce enough on to cover his nakedness, and that so filthy and swarming with vermin, that he kept his shoulders and hands busily employed; while his skin was so incrusted with dirt as to leave no trace of its original complexion. In this manner he was kept closely confined, and was more like a wild beast who saw none but his keepers when they came to throw him his feed. Whether he was kept in this manner for his dark deeds or to cover the shame of those who speculated upon his misery, we leave to the judgment of the reader.

We asked this poor mortal what he had done to merit such a punishment? He held his head down, and motioned his fevered lips. "Speak out!" said we, "perhaps we can get you out." "I had no shoes,

and I took a pair of boots from the gentleman I worked with," said he in a low, murmuring tone.

"Gracious, man!" said we, "a pair of boots! and is that all you are here for?"

"Yes, sir! he lives on the wharf, is very wealthy, and is a good man: 't wasn't his fault, because he tried to get me out if I'd pay for the boots, but they wouldn't let him."

"And how long have you been thus confined?" said we.

"Better than five months—but it's because there a'n't room up stairs. They've been promising me some clothes for a long time, but they don't come," he continued.

"And how much longer have you to stop in this condition?"

"Well, they say 'at court sets in October; it's somethin' like two months off; the grand jury 'll visit the jail then, and maybe they'll find a bill against me, and I'll be tried. I dont't care if they only don't flog me in that fish-market."

"Then you have not been tried yet? Well, may God give that man peace to enjoy his bounty, who would consign a poor object like thee to such cruelty!" said we.

"I was raised in Charleston—ceh neither read nor write—I have no father, and my mother is crazy in the poor-house, and I work about the city for a living, when I'm out!" said he. There was food for reflection in this poor fellow's simple story, which we found to be correct, as corroborated by the jailer.

"Do you get enough to eat?" we asked.

"Oh no, indeed! I could eat twice as much—that's the worst on't: 't wouldn't be bad only for that. I git

me loaf in the mornin', and me soup at twelve, but I don't git nothin' to eat at night, and a feller's mighty hungry afore it's time to lay down," said he.

We looked around the room, and not seeing any thing to sleep upon, curiosity led us to ask him where he slept.

"The jail allows us a blanket—that's mine in the corner: I spread it at night when I wants to go to bed," he answered, quite contentedly. We left the poor wretch, for our feelings could withstand it no longer. The state of society that would thus reduce a human being, needed more pity than the calloused bones reduced to such a bed. His name was Bergen.

The other was a young Irishman, who had been dragged to jail in his shirt, pantaloons, and hat, on suspicion of having stolen seven dollars from a comrade. He had been in jail very near four months, and in regard to filth and vermin was a counterpart of the other. A death-like smell, so offensive that we stopped upon the threshold, escaped from the room as soon as the door opened, enough to destroy a common constitution, which his emaciated limbs bore the strongest evidence of.

The prisoners upon the second story were allowed the privilege of the yard during certain hours in the day, and the debtors at all hours in the day; yet, all were subjected to the same fare. In the yard were a number of very close cells, which, as we have said before, were kept for negroes, refractory criminals, and those condemned to capital punishment. These cells seemed to be held as a terror over the criminals, and well they might, for we never witnessed any thing more dismal for the tenement of man.

CHAPTER XIII.

HOW IT IS.

It is our object to show the reader how many gross abuses of power exist in Charleston, and to point him to the source. In doing this, the task becomes a delicate one, for there are so many things we could wish were not so, because we know there are many good men in the community whose feelings are enlisted in the right, but their power is not coequal; and if it were, it is checked by an opposite influence.

The more intelligent of the lower classes look upon the subject of politics in its proper light—they see the crushing effect the doctrine of nullification has upon their interests; yet, though their numbers are not few, their voice is small, and cannot sound through the channels that make popular influence. Thus all *castes* of society are governed by impracticable abstractions.

The jail belongs to the county—the municipal authorities have no voice in it; and the State, in its legislative benevolence, has provided thirty cents a day for the maintenance of each prisoner. This small sum, in the State of South Carolina, where provision is extremely high, may be considered as a paltry pittance; but more especially so when the magnificent pretensions of South Carolina are taken into consideration, and a comparison is made between this meagre allowance and that of other States. Even Georgia, her sister State, and one whose plain modesty

is really worthy of her enterprising citizens, takes a more enlightened view of a criminal's circumstances—allows forty-four cents a day for his maintenance, and treats him as if he was really a human being. But for this disparity and the wanton neglect of humane feelings South Carolinians excuse themselves upon the ground that they have no penitentiary; nor do they believe in that system of punishment, contending that it creates an improper competition with the honest mechanic, and gives countenance to crime, because it attempts to improve criminals. The common jail is made the place of confinement, while the whipping-post and starvation supply the correctives.

The sheriff being created an absolute functionary, with unlimited powers to control the jail in all its varied functions, without either commissioners or jail-committee, what state of management may be expected? The court gives no specific direction as to the apartment or mode of confinement when sentencing a criminal; consequently, it becomes an established fact that the legislative confidence reposed in the sheriff is used as a medium of favors, to be dispensed as best suits the feelings or interests of the incumbent. Such power in the hands of an arbitrary, vindictive, or avaricious man, affords unlimited means of abuse, and without fear of exposure.

It may be inferred from what we have said that the jailer was relax in his duty. This is not the case, for we have good authority that a more kind-hearted and benevolent man never filled the office. But his power was so restricted by those in absolute control, that his office became a mere turnkey's duty, for which he was paid the pittance of five hundred

dollars a year or thereabouts. Thus he discharged his duty according to the instructions of the sheriff, who, it was well known, looked upon the jail as a means of speculation; and in carrying out his purposes, he would give very benevolent instructions in words, and at the same time withhold the means of carrying them out, like the very good man who always preached but never practised.

Now, how is it? What is the regimen of this jail-prison and how is it provided? We will say nothing of that arduous duty which the jailer performs for his small sum; nor the report that the sheriff's office is worth fourteen thousand dollars a year: these things are too well established. But the law provides thirty cents a day for the prisoner's maintenance, which shall be received by the sheriff, who is to procure one pound of good bread, and one pound of good beef per day for each man. Now this provision is capable of a very elastic construction. The poor criminal is given a loaf of bad bread, costing about three cents, and a pound of meat, the most unwholesome and sickly in its appearance, costing five cents. Allowing a margin, however, and we may say the incumbent has a very nice profit of from eighteen to twenty cents per day on each prisoner. But, as no provision is made against the possibility of the criminal eating his meat raw, he is very delicately forced to an alternative which has another profitable issue for the sheriff; that of taking a pint of diluted water, very improperly called soup. Thus is carried out that ancient law of England which even she is now ashamed to own. Our feelings are naturally roused against the perpetration of such abuses upon suffering humanity. We struggle between a wish to speak

well of her whose power it is to practise them, and an imperative duty that commands us to speak for those who cannot speak for themselves.

These things could not exist if the public mind was properly enlightened. It is unnecessary to spend many words in exposing such palpable abuses, or to trace the cause of their existence and continuance.

One cause of this is the wilful blindness and silly gasconade of some of those who lead and form public opinion. With South Carolinians, nothing is done in South Carolina that is not greater than ever was done in the United States—no battles were ever fought that South Carolina did not win—no statesman was ever equal to Mr. Calhoun—no confederacy would be equal to the Southern, with South Carolina at its head—no political doctrines contain so much vital element as secession, and no society in the Union is equal to South Carolina for caste and elegance—not excepting the worthy and learned aristocracy of Boston.

A will to do as it pleases and act as it pleases, without national restraint, is the great drawback under which South Carolina sends forth her groaning tale of political distress. Let her look upon her dubious glory in its proper light—let her observe the rights of others, and found her acts in justice!—annihilate her grasping spirit, and she will find a power adequate to her own preservation. She can then show to the world that she gives encouragement to the masses, and is determined to persevere in that moderate and forbearing policy which creates its own protection, merits admiration abroad, instead of rebuke, and which needs no gorgeous military display to marshal peace at the point of the bayonet.

CHAPTER XIV.

MANUEL PEREIRA COMMITTED.

It was nearly eleven o'clock as they ascended the jail steps and rang the bell for admittance. The jailer, a stout, rough-looking man, opened the iron door, and as Manuel was about to step over the stone Dunn gave him a sudden push that sent him headlong upon the floor. "Heavens! what now?" inquired the jailer with a look of astonishment, and at the next moment Dunn raised his foot to kick Manuel in the face.

"You infernal beast!" said the jailer, "you are more like a savage than a man—you are drunk now, you vagabond," and jumped in between them to save him from the effect of the blow. As he did this, the gentleman who accompanied them from the "corner-shop," as a protection against Dunn's cruelty, fetched Dunn a blow on the back of the neck that made him stagger against a door, and created such confusion as to arouse the whole jail. Turning to Manuel, he, with the assistance of the jailer, raised him from the ground and led him into the jail-office. "Mister jailor," said Dunn, "the prisoner is mine until such times as you receipt the commitment, and I demand protection from you against this man. He has committed two violent assaults upon me, when I'd be doing me duty."

"You have violated all duty, and are more like an incarnate fiend. You first decoy men into rum-shops,

and then you plunder and abuse them, because you think they are black and can get no redress. You abused that man unmercifully, because you knew his evidence was not valid against you!" said the gentleman, turning to the jailer, and giving him the particulars of what he saw in the "corner-shop," and what cruelties he had seen practised by Dunn on former occasions.

The jailer looked upon Manuel with commiseration, and handed him a chair to sit down on. The poor fellow was excited and fatigued, for he had eaten nothing that day, and been treated more like a brute than a human being from the time he left the ship until he arrived at the jail. He readily accepted the kind offer, and commenced to tell the story of his treatment.

"You need not tell me,—I know too much of that man already. It has long been a mystery to me why he is retained in office."——

Here Dunn interrupted. "Sure it's yer master I'd obey and not yerself, an' I'd do what I'd plase with prisoners, and it's his business and not yeers. If yo had yer way, sure you'd be makin' white men of every nigger that ye turned a key upon."

"Give me none of your insolence," said the jailer. "You have no authority beyond my door. Your brutal treatment to prisoners has caused me an immense deal of trouble—more than my paltry pay would induce me to stay for. Suppose you were indicted for these outrages? What would be the result?" asked the jailer.

"Sure it's meself could answer for the sheriff, without yer bothering yerself. I'd not work for yer, but for him; and he's yer master anyhow, and knows all

about it. Give me the receipt, and that's all I'd ax yer. When a nigger don't mind me, I just makes him feel the delight of a hickory stick."

"Yes, if you had the shame of a man in you, you'd not make a beast of yourself with liquor, and treat these poor stewards as if they were dogs," said the jailer.

"Indeed, ye might learn a thing or tyo if ye was a politician like meself, and belonged to the secession party. An' if his honor the sheriff—for he's a decent man—knew ye'd be preachin' in that shape, yo wouldn't keep the jail f'nent the morning. Be letting me out, and make much of the nigger; ye have him there."

The jailer unlocked the door and allowed him to pass out, with a pertinent rebuke. This was but a trifling affair in Dunn's ear, for he knew his master's feelings too well, and was backed by him in his most intolerable proceedings. Returning to the office, he looked at the commitment, and then again at Manuel. "This is a 'contrary to law' case, I see, Mr. Manuel; you are a likely fellow too, to come within that," said he.

"Yes. If I understand him right, he's a shipwrecked sailor, belonging to a foreign vessel that was driven in here in distress," said the man. "It's a hard law that imprisons a colored seaman who comes here voluntarily; but it seems beyond all manner of precedent to imprison a shipwrecked man like this, especially when he seems so respectable. There are no circumstances to warrant the enforcement of such a law." Thus saying, he left the jail.

Be it said of the jailer, to his honor, so far as personal kindness went, he did his utmost—brought him

water to wash himself, and gave him some clean clothes. After which, he was registered upon the criminal calendar as follows:—

"March 24, 1852.—Manuel Peiriro.—[Committed by] Sheriff ——— Sheriff. Crime—*Contrary to law.*"

Now the jailer had done his duty, so far as his feelings were concerned; but, such were the stern requirements of the law, and his functions so restricted by Mr. Grimshaw, that he dare not make distinctions. He called Daley, one of the criminal assistants, and ordered him to show the prisoner his room.

"Here, my boy, take yer blanket," said Daley; and throwing him a coarse, filthy-looking blanket, told him to roll it up and follow him. "It's on the second floor we'll put yo, among the stewards; there's a nice lot on 'em to keep yer company, and ye'll have a jolly time, my boy." Manuel followed through the second iron door until he came to a large door secured with heavy bolts and bars, which Daley began to withdraw and unlock. "Don't be takin' it amiss; it's a right good crib, savin' the bed, an' it's that's the worst of it. Bad luck to old Grimshaw, an' himself thinks everybody's bones no's as tuf as his own," said Daley, and threw open the heavy doors, sending forth those ominous prison sounds. "All here? Ah! yer a pretty set of lambs, as the British consul calls yees. Have yo ever a drop to spare?" At this, three or four respectable-looking black men came to the door and greeted Manuel. "Come, talk her out, for th' auld man'll be on the scent." At this, one of the confined stewards, a tall, good-looking mulatto man, ran his hand into a large opening in the wall, and drew forth a little soda-bottle filled with

Mohongahela whisky. Without giving reasonable time for politeness, Daley seized the bottle, and putting it to his mouth, gauged about half its contents into his hominy dépôt, smacked his lips, wiped his mouth with his cuff, and, passing the balance back, shut and rebolted the door, after saying, "Good luck till yees, an' I wish yees a merry time." The reader may imagine what provision the State or the sheriff had made for the comfort of these poor men, one of whom was imprisoned because it was "contrary to law" to be driven into the port of Charleston in distress, and the rest, peaceable, unoffending citizens belonging to distant States and countries, and guilty of no crime, when we describe the room and regimen to which they were subjected. The room was about twenty-six feet long and ten feet wide. The brick walls were plastered and colored with some kind of blue wash, which, however, was so nearly obliterated with dirt and the damp of a southern climate, as to leave but little to show what its original color was. The walls were covered with the condensed moisture of the atmosphere, spiders hung their festooned network overhead, and cockroaches and ants, these domesticated pests of South Carolina, were running about the floor in swarms, and holding all legal rights to *ratione* in supreme contempt. Two small apertures in the wall, about fourteen inches square, and double-barred with heavy flat iron, served to admit light and air. The reader may thus judge of its gloomy appearance, and what a miserable unhealthy cell it must have been in which to place men just arrived from sea. There was not the first vestige of furniture in the room, not even a bench to sit upon, for the State, with its gracious hospitality, forgot that men in

jail ever sit down; but it was in keeping with all other things that the State left to the control of its officials.

"Am I to be punished in this miserable place? Why, I cannot see where I'm going; and have I nothing to lay down upon but the floor, and that creeping with live creatures?" inquired Manuel of those who were already inured to the hardship.

"Nothing! nothing! Bring your mind to realize the worst, and forget the cruelty while you are suffering it; they let us out a part of the day. We are locked up to-day because one of the assistants stole my friend's liquor, and he dared to accuse him of the theft, because he was a white man," said a tall, fine-looking mulatto man by the name of James Redman, who was steward on board a Thomastown (Maine) ship, and declared that he had visited Charleston on a former occasion, and by paying five dollars to one of the officers, remained on board of the ship unmolested.

"And how long shall I have to suffer in this manner?" inquired Manuel. "Can I not have my own bed and clothing?"

"Oh, yes," said Redman; "you can have them, but if you bring them here, they'll not be worth anything when you leave; and the prisoners upon this floor are so starved and destitute, that necessity forces them to steal whatever comes in their way; and the assistants are as much implicated as the prisoners. You'll fare hard; but just do as we do in a calm, wait for the wind to blow, and pray for the best. If you say any thing or grumble about it, the sheriff will order you locked up on the third story, and that's worse than death itself. The first thing you do, make preparations for something to eat. We pay for it

here, but don't get in; and you'd starve afore you'd eat what they give them poor white prisoners. They suffer worse than we do, only they have cleaner rooms."

"I pray for my deliverance from such a place as this."

His manners and appearance at once enlisted the respect of those present, and they immediately set to work, with all the means at hand, to make him comfortable. Joseph Jociquel, a young man who had been taken from a vessel just arrived from Rio, and was more fortunate than the rest in having a mattrass, seeing Manuel's weak condition, immediately removed it from its place, and spreading it upon the floor, invited him to lay down. The invitation was as acceptable as it was kind on the part of Jociquel, and the poor fellow laid his weary limbs upon it, and almost simultaneously fell into a profound sleep.

Manuel continued to sleep. His face and head were scarred in several places, which were dressed and covered with pieces of plaster that the jailer had supplied. His companions, for such we shall call those who were confined with him, sat around him, discussing the circumstances that brought him there, and the manner in which they could best relieve his suffering. "It's just as I was served," said Redman. "And I'll bet that red-headed constable, Dunn, brought him up and shaped him in all them Dutch shops. I didn't know the law, and he made me give him three dollars not to put the handcuffs upon me, and then I had to treat him in every grog-shop we came to. Yes, and the last shop we were in, he throw'd liquor in me face, cursed the Dutchman that kept the shop, kick'd me, and tried every way in the world to

raise a fuss. If I hadn't know'd the law here too well, I'd whipt him sure. I have suffered the want of that three dollars since I bin here. 'Twould served me for coffee. We have neither coffee nor bread to-night, for we gave our allowance of bad bread to the white prisoners, but we must do something to make the poor fellow comfortable. I know the constable has kept him all day coming up, and he'll be hungry as soon as he awakes."

"Won't he receive his allowance to-day like another prisoner?" inquired Copeland, a thick-set, well made, dark-skinned negro steward, who had formerly conducted a barber shop in Fleet street, Boston, but was now attached to the schooner Oscar Jones, Kellogg, master.

"Oh! no, sir," said Redman, "that's against the rules of the jail—every thing is done by rule here, even to paying for what we don't get, and starving the prisoners. A man that don't come in before eleven o'clock gets no ration until the next morning. I know, because I had a fuss with the jailer about it, the first day I was brought in; but he gin me a loaf out of his own house. The old sheriff never allows any thing done outside the rules, for he's tighter than a man-trap. 'T'n't what ye suffers in this cell, but it's what ye don't get to eat; and if that poor feller a'n't got money, he'll wish himself alongside the caboose again 'fore he gets out." The poor fellows were driven to the extreme of providing sustenance to sustain life. They mustered their little means together, and by giving a sum to the sheriff's black boy, (a man more intelligent, gentlemanly, and generous-hearted than his master,) had a measure of coffee, sugar, and bread brought in. Necessity was the mother of invention

with them, for they had procured a barrel for twenty-five cents, and made it supply the place of a table. With a few chips that were brought to them by a kind-hearted colored woman that did their washing, and bestowed many little acts of kindness, they made a fire, endured the annoyance of a dense smoke from the old fire-place, and prepared their little supper. As soon as it was upon the table, they awoke Manuel, and invited him to join in their humble fare. The poor fellow arose, and looking around the gloomy, cavern-like place, heaved a deep sigh. "It's hard to be brought to this for nothing!" said he; "and my bones are so sore that I can scarcely move. I must see the Captain and consul."

"That won't do any good; you might as well keep quiet and drink your coffee. A prisoner that says the least in this jail is best off," returned Redman.

"Manuel took his bowl of coffee and a piece of bread, eating it with a good appetite, and asking what time they got breakfast. "It's the first time I was abused in a foreign country. I'm Portuguese, but a citizen of Great Britain, and got my protection.—. When it won't save me, I'll never come to South Carolina again, nor sail where a flag won't protect me. When I go among Patagonians, I know what they do; but when I sail to United States or be cast away on them, I don't know what they do, because I expect good people." * * *

"Never mind, my good fellow," said Redman; "cheer up, take it as a good sailor would a storm, and in the morning you'll get a small loaf of sour bread and a bucket of water for breakfast, if you go to the pump for it. Be careful to moderate your appetite when you breakfast according to the State's rules;

for you must save enough to last you during the day, and if you can keep "banyan day," as the Bluenose calls it, you're just the man for this institution, and no mistake. Come, I see you're hungry; drink another bowl of coffee, and eat plenty of bread; then you'll be all right for another good sleep.

"Yes, but I don't expect to be in here long. But tell me, do we get nothing more than a loaf? didn't the jail give us this supper?" he inquired with surprise.

"Supper, indeed!—it's against the rules for prisoners to have coffee; that's our private fixings; but you'll get a pound of bloody neck-bone, they call beef, in the morning. I have twice thrown mine to the dog; but he doesn't seem to thank me for it; so I told the cook he needn't trouble his steelyards for me again."

Redman's conversation was interrupted by a noise that seemed to be a ring of the prison bell, and an anxious expression which Manuel gave utterance to, indicated that he expected somebody would come to see him. He was not disappointed, for a few minutes after, the bolts were heard to withdraw and the heavy door swung back. There, true to his charge, was little Tommy, in his nicest blue rig, tipped off a la man-o'-war touch, with his palmetto-braid hat,—a long black ribbon displayed over the rim,—his hair combed so slick, and his little round face and red cheeks so plump and full of the sailor-boy pertness, with his blue, braided shirt-collar laid over his jacket, and set off around the neck with a black India handkerchief, secured at the throat with the joint of a shark's back-bone. He looked the very picture and pattern of a Simon-Pure salt. He had wended his way through strange streets and lanes, with a big haversack under

his arm, which Daley had relieved him of at the door, and brought into the room under his arm. As soon as Manuel caught a glimpse of him, he rose and clasped the little fellow in his arms with a fond embrace. No greeting could be more affecting. Manuel exulted at seeing his little companion; but Tommy looked grieved, and asked, "But what has scarred your face so, Manuel? You didn't look that way when you left the brig. We have had a site o' folks down to see us to-day."

"Oh, that's nothing!—just a little fall I got; don't tell the Captain: it'll all be well to-morrow."

"Here, Jack, take your knapsack; did yer bring over a drop o' liquor for the steward?" said Daley, addressing himself to Tommy, and putting the package upon the floor.

"Yes, Manuel!" said Tommy, "the Captain sent you some nice bread and ham, some oranges and raisins, and a bottle of nice claret,—for he was told by the consul that they didn't give 'em nothing to eat at the jail. And I had a tug with 'em, I tell you. I got lost once, and got a good-natured black boy to pilot me for a Victoria threepence,—but he did not like to carry the bundle to the jail, for fear of his master. Captain 'll be up first thing in the morning, if he can get away from business," said the little tar, opening the haversack and pulling out its contents to tempt the hungry appetites of those around him.

Daley very coolly took the bottle of claret by the neck, and holding it between himself and the light, took a lunar squint at it, as if doubting its contents; and then, putting it down, exclaimed, "Ah! the divil a red I'd give you for your claret. Sure, why didn't ye bring a token of good old hardware?" "Hardware! what is hardware?" inquired Manuel. "Ah! bothera-

tion to the bunch of yous—a drap of old whiskey, that 'd make the delight shine f'rom. Have yo[illegible] o'er a drap among the whole o' yous?" Receiving an answer in the negative, he turned about with a Kilkenny, "It don't signify," and toddled for the door, which he left open, to await Tommy's return. Hedman knew Daley's propensity too well, and having ocular proof that he had wet t'*other eye* until it required more than ordinary effort to make either one stay open, he declined recognising his very significant hint.

As soon as Daley withdrew, Manuel invited his companions to partake of the Captain's present, which they did with general satisfaction.

CHAPTER XV.

THE LAW'S INTRICACY.

While the scenes we have described in the foregoing chapter were being performed, several very interesting ones were going through the course of performance at the consul's office and other places, which we must describe. The British Government, in its instructions to Mr. Mathew, impressed upon him the necessity of being very cautious lest he should in any manner prejudice the interests of the local institutions within his consular jurisdiction; to make no requests that were incompatible with the local laws; but to pursue a judicious course in bringing the matter of Her Majesty's subjects properly to the consideration of the legal authorities, and to point to the true grievance; and as it involved a

question of right affecting the interests and liberties of her citizens, to ask the exercise of that judicial power from which it had a right to expect justice. The main object was to test the question whether this peculiar construction given to that local law which prohibits free colored men from coming within the limits of the State, was legal in its application to those who come into its ports connected with the shipping interests, pursuing an honest vocation, and intending to leave whenever their ship was ready. The consul was censured by the press in several of the slaveholding States, because he dared to bring the matter before the local legislature. We are bound to say that Consul Mathew, knowing the predominant prejudices of the Carolinians, acted wisely in so doing. First, he knew the tenacious value they put upon courtesy; secondly, the point at issue between South Carolina and the Federal Government, (and, as a learned friend in Georgia once said, "*Whether South Carolina belonged to the United States, or the United States to South Carolina;*") and thirdly, the right of State sovereignty, which South Carolina held to be of the first importance. To disregard the first, would have been considered an insult to the feelings of her people; and if the question had first been mooted with the Federal Government, the ire of South Carolinians would have been fired; the slur in placing her in a secondary position would have sounded the war-trumpet of Abolition encroachments, while the latter would have been considered a breach of confidence, and an unwarrantable disregard of her assertion of State rights. The Executive transmitted the documents to the Assembly, that body referred them to *special* committees, and the Messrs. Mazyck and

McCready, reported as *everybody* in *South* Carolina expected, virtually giving the British consul a very significant invitation to keep his petitions in his pocket for the future, and his "*black lambs*" out of the State, or it might disturb their domesticated ideas. Thus was the right clearly reserved to themselves, and the question settled, so far as the State Legislature was concerned. The next course for Mr. Mathew was to appeal to the Judiciary, and should redress be denied, make it the medium of bringing the matter before the Federal courts.

We cannot forbear to say, that the strenuous opposition waged against this appeal of common humanity arose from political influence, supported by a set of ultra partisans, whose theoretical restrictions, assisted by the voice of the press, catered to the war-spirit of the abstractionists.

The British consul, as the representative of his government, knowing the personal suffering to which the subjects of his country were subjected by the wretched state of the Charleston prison, and its management, sought to remove no restriction that might be necessary for protecting their dangerous institutions, but to relieve that suffering. He had pointed the authorities to the wretched state of the prison, and the inhuman regimen which existed within it; but, whether through that superlative carelessness which has become so materialized in the spirit of society—that callousness to misfortune so strongly manifested by the rich toward the industrious poor and the slaves—or a contempt for his opinions, because he had followed out the instructions of his government, things went on in the same neglected manner, and no attention was paid to them.

Now, we dare assert that a large portion of the excitement which the question has caused has arisen from personal suffering, consequent upon that wretched state of jail provisions which exists in South Carolina, and which, to say the least, is degrading to the spirit and character of a proud people. If a plea could be made, for excuse, upon the shattered finances of the State, we might tolerate something of the abuse. But this is not the case; and when its privileges become reposed in men who make suffering the means to serve their own interests, its existence becomes an outrage.

A stronger evidence of the cause of these remonstrances on the part of the British Government, is shown by the manner in which it has been submitted to in Georgia. The British consul of the port of Savannah, a gentleman whose intelligence and humane feelings are no less remarkable than Mr. Mathew's, has never had occasion to call the attention of the Executive of Georgia to the *abuse* of power consequent upon the imprisonment of colored seamen belonging to the ships of Great Britain in that port. The seaman was imprisoned, consequently deprived of his liberty; but there was no suffering attendant beyond the loss of liberty during the stay of the vessel; for the imprisonment itself was a nominal thing; the imprisoned was well cared for; he had good, comfortable apartments, cleanly and well ordered, away from the criminals, and plenty of good, wholesome food to eat. There was even a satisfaction in this, for the man got what he paid for, and was treated as if he were really a human being. Thus, with the exception of the restriction on the man's liberty, and that evil, which those interested in commerce would reflect upon as a

tax upon the marine interests of the port to support a municipal police, because it imposes a tax or burdensome annoyance upon owners for that which they have no interest in and can derive no benefit from, the observance of the law had more penalty in mental anxiety than bodily suffering. We have sometimes been at a loss to account for the restriction, even as it existed in Georgia, and especially when we consider the character of those controlling and developing the enterprising commercial affairs of Savannah.

But we must return to South Carolina. If we view this law as a police regulation, it only gives us broader latitude. If a community has that within itself which is dangerous to its well-being, it becomes pertinent to inquire whether there is not an imperfect state of society existing, and whether this policy is not injurious to the well-being of the State. The evil, though it be a mortifying fact, we are bound to say, arises from a strange notion of caste and color, which measures sympathy according to complexion. There is no proof that can possibly be adduced, showing that colored seamen have made any infections among the slaves, or sought to increase the dangers of her peculiar institution.

CHAPTER XVI.

FIAT. OF JUST CONSIDERATION AND MISTAKEN CONSTANCY OF THE LAWS.

THE consul's office opened at nine o'clock,—the Captain, with his register-case and shipping papers under his arm, presented himself to Mr. Mathew, handed him his papers, and reported his condition. That gentleman immediately set about rendering every facility to relieve his immediate wants and further his business. The consul was a man of plain, unassuming manners, frank in his expressions, and strongly imbued with a sense of his rights, and the faith of his Government,—willing to take an active part in obtaining justice, and a deadly opponent to wrong, regardless of the active hostility that surrounded him. After relating the incidents of his voyage, and the circumstances connected with Manuel's being dragged to prison,—"Can it be possible that the law is to be carried to such an extreme?" said he, giving vent to his feelings.

"Your people seem to have a strange manner of exhibiting their hospitality," said the Captain, in reply.

"That is true; but it will not do to appeal to the officials," Thus saying, the consul prepared the certificate, and putting on his hat, repaired to the jail. Here he questioned Manuel upon the circumstances of his arrest, his birthplace, and several other things. "I am not sure that I can get you out, Manuel, but I will do my best; the circumstances of your being

driven in here in distress will warrant some consideration in your case; yet the feeling is not favorable, and we cannot expect much."

From thence he proceeded to the office of Mr. Grimshaw, where he met that functionary, seated in all the dignity of his office.

"Good morning, Mr. Consul. Another of your darkies in my place, this morning," said Mr. Grimshaw.

"Yes; it is upon that business I have called to see you. I think you could not have considered the condition of this man, nor his rights, or you would not have imprisoned him. Is there no way by which I can relieve him?" inquired the consul, expecting little at his hands, but venturing the effort.

"Sir! I never do any thing inconsistent with my office. The law gives me power in these cases, and I exercise it according to my judgment: It makes no exceptions for shipwrecks, and I feel that you have no right to question me in the premises. It's *contrary to law* to bring niggers here; and if you can show that he is a white man, there's the law; but you must await its process."

"But do you not make exceptions?" inquired the consul. "I do not wish to seek his relief by process of law; that would increase expense and delay. I have made the request as a favor; if you cannot consider it in that light, I can only say my expectations are disappointed. But how is it that the man was abused by your officers before he was committed?"

"These are things I've nothing to do with; they are between the officers and your niggers. If they are stubborn, the officers must use force, and we have a right to iron the whole of them. Your niggers give

more trouble than our own, and are a set of unruly fellows. We give 'em advantages which they don't deserve, in allowing them the yard at certain hours of the day. You Englishmen are never satisfied with any thing we do," returned Mr. Grimshaw, with indifference, appearing to satisfy himself that the law gave him the right to do what he pleased in the premises. There seemed but one idea in his head, so far as niggers were concerned, nor could any mode of reasoning arouse him to a consideration of any extenuating circumstances. A nigger was a nigger with him, whether white or black,—a creature for hog, homony, and servitude.

"I expected little and got nothing. I might have anticipated it, knowing the fees you make by imprisonment. I shall seek relief for the man through a higher tribunal, and I shall seek redress for the repeated abuses inflicted upon these men by your officers," said the consul, turning to the door.

"You can do that, sir," said Mr. Grimshaw; "but you must remember that it will require white evidence to substantiate the charge. We don't take the testimony of your niggers."

Just as the consul left the office, he met Colonel S—— entering. The colonel always manifested a readiness to relieve the many cases of oppression and persecution arising from bad laws and abused official duty. He had called upon Mr. Grimshaw on the morning of the arrest, and received from him an assurance that the case would be considered, the most favorable construction given to it, and every thing done for the man that was in his power. Notwithstanding this, to show how far confidence could be put in such assurances, we have only to inform the

reader that he had despatched the officers an hour previously.

The colonel knew his man, and felt no hesitation at speaking his mind. Stepping up to him, "Mr. Grimshaw," said he, "how do you reconcile your statement and assurances to me this morning with your subsequent conduct?"

"That's my business. I act for the State, and not for you. Are you counsel for these niggers, that you are so anxious to set them at liberty among our slaves? You seem to have more interest in it than that interfering consul. Just let these Yankee niggers and British niggers out to-night, and we'd have another insurrection before morning; it's better to prevent than cure," said Grimshaw.

"The only insurrection would have been in your heart, for the loss of fees. If you did not intend what you said, why did you deceive me with such statements? I know the feelings of our people, as well as I do yours for caging people within that jail. Upon that, I intimated to the Captain what I thought would be the probable result, and this morning I proceeded to his vessel to reassure him, upon your statement. Imagine my mortification when he informed me that his steward had been dragged off to jail early in the morning, and that those two ruffians whom you disgrace the community with, behaved in the most outrageous manner. It is in your power to relieve this man, and I ask it as a favor, and on behalf of what I know to be the feelings of the citizens of Charleston."

"Your request, colonel," said Mr. Grimshaw, with a little more complacency, "is too much in the shape of a demand. There's no discretion left me by the State, and if you have a power superior to that, you

better pay the expenses of the nigger, and take the management into your own hands. I never allow this trifling philanthropy about niggers to disturb me. I could never follow out the laws of the State and practise it; and you better not burden yourself with it, or your successors may suffer for adequate means to support themselves. Now, sir, take my advice. It's *contrary to law* for them niggers to come here; you know our laws cannot be violated. South Carolina has a great interest at stake in maintaining the reputation of her laws. Don't excite the nigger's anxiety, and he'll be better off in jail than he would running about among the wenches. He won't have luxuries, but we'll make him comfortable, and he must suit his habits to our way of living. We must not set a bad example before our own niggers; the whiter they are the worse they are. They struggle for their existence now, and think they're above observing our nigger laws. We want to get rid of them, and you know it," returned Grimshaw.

"Yes; I know it too well, for I have had too many cases to protect them from being '*run off*' and sold in the New Orleans market. But when you speak of white niggers, I suppose you mean our brightest; I dispute your assertion, and point you to my proof in the many men of wealth among them now pursuing their occupations in our city. Can you set an example more praiseworthy? And notwithstanding they are imposed upon by taxes, and many of our whites take the advantage of law to withhold the payment of debts contracted with them, they make no complaint. They are subject to the same law that restricts the blackest slave. Where is the white man that would not have yielded under such

inequality? No! Mr. Grimshaw, I am as true a Southerner—born and bred—as you are; but I have the interests of these men at heart, because I know they are with us, and their interests and feelings are identical with our own. They are Native Americans by birth and blood, and we have no right to dispossess them by law of what we have given them by blood. We destroy their feelings by despoiling them of their rights, and by it we weaken our own cause. Give them the same rights and privileges that we extend to that miserable class of foreigners who are spreading pestilence and death over our social institutions, and we would have nothing to fear from them, but rather find them our strongest protectors. I want to see a law taking from that class of men the power to lord it over and abuse them.* And I want to see another

* A friend, who has resided several years in Charleston, strong in his feelings of Southern rights, and whose keen observation could not fail to detect the working of different phases of the slave institution, informed us that he had conversed with a great many very intelligent and enterprising men belonging to that large class of "*bright*" men in Charleston, and that which appeared to pain them most was the manner they were treated by foreigners of the lowest class; that rights which they had inherited by birth and blood were taken away from them; that, being subjected to the same law which governed the most abject slave, every construction of it went to degrade them, while it gave supreme power to the most degraded white to impose upon them, and exercise his vindictive feelings toward them; that no consideration being given to circumstances, the least deviation from the police regulations made to govern negroes, was taken advantage of by the petty guardmen, who either extorted a fee to release them, or dragged them to the police-office, where their oath was nothing, even if supported by testimony of their own color; but the guardman's *word* was taken as positive proof. Thus the laws of South Carolina forced them to be what their feelings revolted at.

making it a penal offence for those men holding slaves for breeding purposes. Another, which humanity calls for louder than any other, is one to regulate their food, punish these grievous cases of starvation, and make the offender suffer for withholding proper rations."

"Well—pretty well!" said Grimshaw, snapping his fingers very significantly. "You seem to enjoy the independence of your own opinion, colonel. Just prove this nigger's a white, and I'll give you a release for him, after paying the fees. You better move to Massachusetts, and preach that doctrine to William Lloyd Garrison and Abby Kelly."

"Give me none of your impudence, or your low insults. You may protect yourself from personal danger by your own consciousness that you are beneath the laws of honor; but that will not save you from what you deserve, if you repeat your language. Our moderation is our protection, while such unwise restrictions as you would enforce, fan the flame of danger to our own households," said the colonel, evidently yielding to his impulses; while Mr. Grimshaw sat trembling, and began to make a slender apology, saying that the language was forced upon him, because the colonel had overstepped the bounds of propriety in his demands.

"I'm somewhat astonished at your demand, colonel, for you don't seem to comprehend the law, and the imperative manner in which I'm bound to carry it out. Shipowners should get white stewards, if they want to avoid all this difficulty. I know the nature of the case, but we can't be accountable for storms, shipwrecks, old vessels, and all these things. I'll go and see the fellow to-morrow, and tell the jailer—he's a

pattern of kindness, and that's why I got him for jailer—to give him good rations and keep his room clean," said Grimshaw, getting up and looking among some old books that lay on a dusty shelf. At length he found the one, and drawing it forth, commenced brushing the dust from it with a dust-brush, and turning his tobacco-quid. After brushing the old book for a length of time, he gave it a scientific wipe with his coat-sleeve, again sat down, and commenced turning over its pages.

"It's in here, somewhere," said he, wetting his finger and thumb at every turn.

"What's in there, pray? You don't think I've practised at the Charleston bar all my life without knowing a law which has called up so many questions?" inquired the colonel.

"Why, the act and the amendments. I believe this is the right one. I a'n't practised so long, that I reckon I've lost the run of the appendix and everything else," adding another stream of tobacco-spit to the puddle on the floor.

"That's better thought than said. Perhaps you'd better get a schoolboy to keep his finger on it," continued the colonel, laconically.

"Well, well; but I must find it and refresh your memory. Ah! here it is, and it's just as binding on me as it can be. There's no mistake about it—it's genuine South Carolina, perfectly aboveboard." Thus saying, he commenced reading to the colonel as if he was about to instruct a schoolboy in his rudiments. "Here it is—a very pretty specimen of enlightened legislation—born in the lap of freedom, cradled in a land of universal rights, and enforced by the strong arm of South Carolina."

"An Act for the better regulation and government of free negroes and persons of color, and for other purposes," &c. &c. &c., Mr. Grimshaw read; but as the two first sections are really a disgrace to the delegated powers of man, in their aim to oppress the man of color, we prefer to pass to the third section, and follow Mr. Grimshaw as he reads:—

"That if any vessel shall come into any port or harbor of this State, (South Carolina,) from any other State or foreign port, having on board any free negroes or persons of color, as cooks, stewards, or mariners, or in any other employment on board said vessel, such free negroes or persons of color shall be liable to be seized and confined in jail until said vessel shall clear out and depart from this State; and that when said vessel is ready to sail, the captain of said vessel shall be bound to carry away the said free negro or person of color, and pay the expenses of detention; and in case of his refusal or neglect to do so, he shall be liable to be indicted, and, on conviction thereof, shall be fined in a sum not less than one thousand dollars, and imprisoned not less than two months; and such free negroes or persons of color shall be deemed and taken as absolute slaves, and sold in conformity to the provisions of the act passed on the twentieth day of December, one thousand eight hundred and twenty aforesaid."

Mr. Grimshaw's coolness in the matter became so intolerable, that the colonel could stand it no longer; so, getting up while Mr. Grimshaw was reading the law, he left the office, perfectly satisfied that further endeavors at that source would be fruitless.

After Mr. Grimshaw had concluded, he looked up, perfectly amazed to find that he was enjoying the

reading of the act to himself. "Had I not given it all the consideration of my power, and seen the correctness of the law, I should not have given so much importance to my opinion. But there it is, all in that section of the Act, and they can't find no convention in the world to control the Legislature of South Carolina. There's my principles, and all the Englishmen and Abolitionists in Christendom wouldn't change me. Now, I've the power, and let 'em get the nigger out of my place, if they can," said Grimshaw, shutting the book, kicking a good-sized, peaceable-looking dog that lay under the table, and deliberately taking his hat and walking into the street.

Here is an Act, bearing on its face the arrogant will of South Carolina, setting aside all constitutional rights, and denying the validity of stipulations made by the United States in her general commercial laws. She asserts her right to disregard citizenship, to make criminals of colored men, because they are colored, and to sell them for slaves to pay the expenses which she had incurred to make them such. And what is still worse, is, that the exercise of this misconceived and unjust law is so unrelentingly enforced, and so abused by those who carry it out.

During this time the consul had been unremitting in his endeavors to procure the man's release. The mayor had no power in the premises; the attorney-general was not positive in regard to the extent of his power in such a case, though he admitted the case to be an aggravated one; the judges could only recognise him as a nigger, consequently must govern their proceedings by legislative acts. Upon the whole, he found that he was wasting his time, for while they all talked sympathy, they acted tyranny.

Cold, measured words about niggers, "*contrary to law*," constitutional rights, inviolable laws, State sovereignty and secession, the necessary police regulations to protect a peculiar institution, and their right to enforce them, everywhere greeted his ears. There was about as much in it to relieve Manuel, as there would have been had a little bird perched upon the prison-wall and warbled its song of love to him while strongly secured in his cell—more tantalizing because he could hear the notes, but not see the songster.

Notwithstanding the commendable energy of the consul, he had the satisfaction of knowing that several very improbable reports touching his course, and construing it into an interference with the institution of slavery, had been widely circulated, and were creating a feeling against him among a certain class of "*fire-eating*" secessionists. He was too well aware of the source from which they originated to awaken any fears, and instead of daunting his energy they only increased it, and brought to his aid the valuable services of the Hon. James L. Petigru, a gentleman of whom it is said, (notwithstanding his eminence at the bar,) that had it not been for his purity of character, his opinions in opposition to the State would have long since consigned him to a traitor's exile. The truth was—and much against Mr. Petigru's popularity in his own State—that he was a man of sound logic, practical judgment, and legal discrimination. Thus endowed with the requisite qualities of a good statesman, and pursuing a true course to create a conservative influence in the State, he failed to become popular beyond his legal sphere. Had he espoused that most popular of all

dominions in South Carolina—nullification and secession—and carried abstraction to distraction, James L. Petigru would have added another "Bunker Hill" to that which had already passed from South Carolina's field of action.

The consul did his duty, but effected nothing; and such was the opposition manifested by the officials who were interested in the spoils of law, and politicians who could not see any thing important beyond secession, that there was no prospect of it. And, as the last resort, he appealed to the Judiciary through the "*habeas corpus*," the result of which we shall show in a subsequent chapter.

CHAPTER XVII.

LITTLE GEORGE, THE CAPTAIN, AND MR. GRIMSHAW.

The consul had returned to his office rather discomfited at not being able to relieve Manuel, yet satisfied that he had placed matters in their proper light before the public. The Captain reported and left his manifest at the custom-house, after entering his protest and making the necessary arrangements for survey, &c. &c. And Colonel S—— became so well satisfied of the affectation of his protestors, and that his services in behalf of humanity were like straws contending against a foaming current, that, acknowledging his regrets to the Captain, he preferred to make up in attention what he could not do for Manuel through the law.

Little George paid his respects to the Janson between ten and eleven o'clock, duly dressed. "Mr. Mate, where's your skipper?" he inquired, with an air of consequence that put an extra puckar on his little twisting mouth.

"Gone to jail, or to see Doctor Jones, I expect, not giving ye an ill answer," replied the old mate, gruffly.

"Perhaps you don't know who I am, sir. Your answer's not polite. You must remember, sir, you're in South Carolina, the sunny city of the South," said the little secessionist.

"I al'a's make my answer to suit myself. I study hard work and honesty, but never was known to carry a grammar in my pocket. But, my tant friend, I should know'd I was in South Carolina if you hadn't said a word about it, for no other nation under the sky would a' dragged a poor cast-away sailer to prison because he had the misfortune to have a tawny hide. It's a ten-to-one, my hearty, if you don't find the skipper in jail, and all the rest of us, before we leave. I'm lookin' now to see some body-grabber coming down with a pair of handcuffs," continued the mate.

"What! do you mean to insult me, again, Mr. Mate? Explain yourself! I'm not accustomed to this irritical talk!"

"Well, it's something like your laws. They dragged our steward off to jail this morning, without judge or jury, and with about as much ceremony as a Smithfield policeman would a pickpocket."

"What! you don't say. Well, I was afraid of that. Our officers are mighty quick, but I'd hoped differently. But, sir, give my compliments to the Captain. Tell him *I'll* make the matter all right; my influence, sir, and my father's—he is one of the

first men in the city—tells mightily here. I have provided my services to the Captain, and I'll see him through. Just pledging my word to Grimshaw will be enough to satisfy the judicial requisites of the law," said George, switching his little cane on his trowsers.

"My good fellow," said the mate, "if you can get our steward out a limbo, you'll be doing us all a good turn, and we'll remember you as long as we pull a brace."

"You may reckon on me, Mister Mate; and if I a'n't down before six o'clock, my father will certainly take the matter in hand; and he and Mazyck belong to the secession party, and control things just as they please at Columbia." So saying, George bid the old mate good morning, and bent his course for the head of the wharf.

"There," said the old mate, "it's just what I thought all along; I knew my presentiment would come true. I'll wager a crown they treat Manuel like a dog in that old prison, and don't get him out until he is mildewed; or perhaps they'll sell him for a slave—cos he's got curly black hair and a yellow skin. Now I'm a hardy sailor, but I've sailed around the world about three times, and know something of nature. Now ye may note it as clear as the north star, prisons in slave countries a'n't fit for dogs. They may tell about their fine, fat, slick, saucy niggers, but a slave's a slave—his master's property, a piece of merchandise, his chattel, or his football—thankful for what his master may please to give him, and inured to suffer the want of what he withholds. Yes, he must have his thinking stopped by law, and his back lashed at his master's will, if he don't see the mark

in work. Men's habits and associations form their feelings and character, and it's just so with them fellers; they've become so accustomed to looking upon a nigger as a mere tool of labor—lordin' it over him, starving him, and lashing him—that they associate the exercise of the same feelings and actions with every thing connected with labor, without paying any respect to a poor white man's feelings," continued the mate, addressing himself to his second, as they sat upon the companion, waiting for the Captain to come on board and give further orders.

Never were words spoken with more truth. The negro is reduced to the lowest and worst restrictions, even by those who are considered wealthy planters and good masters. We say nothing of those whose abuse of their negroes by starvation and punishment forms the theme of complaint among slaveholders themselves. His food is not only the coarsest that can be procured, but inadequate to support the system for the amount of labor required. Recourse to other means becomes necessary. This is supplied by giving the slave his task, which, so far as our observation extends, is quite sufficient for any common laborer's day's-work. This done, his master is served; and as an act of kindness, (which Sambo is taught to appreciate as such,) he is allowed to work on his own little cultivated patch to raise a few things, which mass'r (in many cases) very condescendingly sells in the market, and returns those little comforts, which are so much appreciated by slaves on a plantation—tea, molasses, coffee, and *tobacco*—and now and then a little wet of whiskey. This is the allowance of a good man doing a good week's work, and getting two pounds of bacon and a peck of corn as his compensation. But,

in grateful consideration, his *good* master allows him to work nights and Sundays to maintain himself. In this way was "*Bob's bale of cotton*" raised, which that anxious child of popular favor, the editor of the "Savannah Morning News," so struggled to herald to the world as something magnificent on the part of the Southern slave-masters. At best, it was but a speck. If the many extra hours of toil that poor Bob had spent, and the hours of night that he had watched and nursed his plants, were taken into account, there would be a dark picture connected with "*Bob's bale of cotton*," which the editor *forgot* to disclose.

Every form of labor becomes so associated with servitude, that we may excuse the Southerner for those feelings which condemn those devoted to mechanical pursuits as beneath his caste and dignity. Arrogance and idleness foster extravagance, while his pride induces him to keep up a style of life which his means are inadequate to support. This induces him to subsist his slaves on the coarsest fare, and becoming hampered, embarrassed, and fretted in his fast-decaying circumstances, his slaves, one by one, suffer the penalty of his extravagance, and finally he himself is reduced to such a condition that he is unable to do justice to himself or his children any longer; his slaves are dragged from him, sold to the ferrors of a distant sugar-plantation, and he turned out of doors a miserable man.

We see this result every day in South Carolina; we hear the comments in the broadways and public places, while the attorney and bailiff's offices and *notices* tell the sad tale of poverty's wasting struggle.

George, in passing from the wharf into the bay, met the Captain, who was shaping his course for the

brig. He immediately ran up to him, and shook his hands with an appearance of friendship. "Captain, I'm right sorry to hear about your nigger. I was not prepared for such a decision on the part of Mr. Grimshaw, but I'm determined to have him out," said he.

"Well!" said the Captain, "I'm sorry to say, I find things very different from what I anticipated. My steward is imprisoned, for nothing, except that he is a Portuguese, and everybody insists that he's a nigger. Everybody talks very fine, yet nobody can do any thing, and every thing is left to the will of one man."

"Why, Captain, we've the best system in the world for doing business; you'd appreciate it after you understood it! Just come with me, and let me introduce you to *my* father. If he don't put you right, I'll stand convicted," said little George.

Accepting the invitation, they walked back to the "*old man's*" counting-room. George had given the Captain such an extended account of his father's business and estates, that the latter had made up his mind to be introduced to an "India-Palace" counting-room. Judge of his surprise, then, when George led the way into an old, dirty-looking counting-room, very small and dingy, containing two dilapidated high desks, standing against the wall. They were made of pitch pine, painted and grained, but so scarred and whittled as to have the appearance of long use and abuse. In one corner was an old-fashioned low desk, provided with an ink-stand, sundry pieces of blotting-paper, the pigeon-holes filled with loose invoices, letters, and bills of lading, very promiscuously huddled together; while hanging suspended on a large nail, driven in the side, and exposed to view, was an enormous dust-brush. A venerable-looking subject of some foreign country

stood writing at one desk, a little boy at the other, and George's veritable "*old man*" at the low desk. Here and there around the floor were baskets and papers containing samples of sea-island and inland cotton. George introduced the Captain to his father with the suavity of a courtier. He was a grave-looking man, well dressed, and spoke in a tone that at once enlisted respect. Unlike George, he was a tall, well-formed man, with bland, yet marked features, and very gray hair. He received the Captain in a cold, yet dignified manner—inquired about his voyage, and who he had consigned to, and what steps he had taken to proceed with his business,—all of which the Captain answered according to the circumstances.

"What! then you have consigned already, have you?" said little George, with surprise.

"Oh yes," returned the Captain, I have left my business in the hands of the consul, and shall follow his directions. It's according to my sailing orders. But there's so much difficulty, I shouldn't wonder if I had to leave the port, yet!"

"Not so, Captain; I'll take care of that!" said George, giving his father a statement of the Captain's trouble about Manuel's imprisonment, and begging that he would bestow his influence in behalf of his friend the Captain. Although George coupled his request with a seeming sincerity, it was evident that he felt somewhat disappointed at the consignment. The old gentleman looked very wise upon the subject, lifted his gold-framed spectacles upon his forehead, gratified his olfactory nerves with a pinch of snuff, and then said in a cold, measured tone, "Well, if he's a nigger, I see no alternative,—the circumstances may give a coloring of severity to the law; but my

opinion has always been, that the construction of the law was right; and the act being founded upon necessity, I see no reason why we should meddle with its prerogative. I think the interference of the consul unwarrantable, and pressed upon more technical grounds. These stories about the bad state of our jail, and the sufferings of criminals confined in it, arise, I must think, from the reports of bad prisoners. I have never been in it. Our people are opposed to vice, and seldom visit such a place; but the sheriff tells me it is comfortable enough for anybody. If this be so, and I have no reason to doubt his word, we can exercise our sympathy and kindness for his shipwrecked circumstances, and make him as comfortable there as we could anywhere else. There are many different opinions, I admit, touching the effect of this law; but I'm among those who support stringent measures for better protection. His color can form no excuse, Captain, so long as there is symptoms of the negro about him. We might open a wide field for metaphysical investigation, if we admitted exceptions upon grades of complexion; for many of our own slaves are as white as the brightest woman. Consequently, when we shut the gates entirely, we save ourselves boundless perplexity. Nor would it be safe to grant an issue upon the score of intelligence, for experience has taught us that the most intelligent *bright fellows* are the worst scamps in creating discontent among the slaves. I only speak of these things, Captain, in a general sense. Your man may be very good, noble, generous, and intelligent; and, more than all, not inclined to meddle with our peculiar institution,—but it would be a false principle to make him an exception, setting an example that would be

entirely incompatible with our greatest interests. So far as my word will affect the sheriff, and enlist his better feelings in making him comfortable, I will use it," said the '*old man*,' again adjusting his specs.

Little George seemed dumbfounded with mortification, and the Captain felt as though he would give a guinea to be on board his brig. It was no use for him to enter into the entertaining circumstance of his voyage, or the character of the man, Manuel. The same cold opinions about the law, and the faith and importance of South Carolina and her peculiar institutions, met his ears wherever he went. The Captain arose, took his hat, and bidding the old gentleman good-morning, again left for his brig.

"Don't be worried about it—I'll do what I can for you," said the old man, as the Captain was leaving. George followed him into the street, and made a great many apologies for his father's opinions and seeming indifference, promising to do himself what his father did not seem inclined to undertake. The Captain saw no more of him during his stay in Charleston, and if his influence was exerted in Manuel's behalf, he did not feel its benefits.

Business had so occupied the Captain's attention during the day, that he had no time to visit Manuel at the jail; and when he returned to the vessel, a message awaited him from the British consul. One of the seamen had been detailed to fill Manuel's place, who, with his dinner all prepared, reminded the Captain that it was awaiting him. He sat down, took dinner, and left to answer the consul's call. Arriving at the office, he found the consul had left for his hotel, and would not return until four o'clock. As he passed the post-office, a knot of men stood in front

of it, apparently in anxious discussion. Feeling that their conversation might be interesting to him, or have some connection with his case, he walked slowly back, and as he approached them, observed that the conversation had become more excited. The principals were Mr. Grimshaw, and a factor on the bay, deeply interested in shipping.

"A man acting in your capacity," said the factor, "should never make use of such expressions—never give encouragement to mob law. It's not only disgraceful to any city, but ruinous to its interests. Officials never should set or encourage the example. Want of order is already in the ascendant, and if the populace is to be led on to riot by the officials, what check have we? God save us from the direful effects!"

"Well, perhaps I went too far," said Mr. Grimshaw, "for I think as much of the name of our fair city as you do. But we ought to teach him that he can't pursue this open, bold, and daring course, endangering our institutions, because he's consul for Great Britain. I would, at all events, treat him as we did the *Yankee* HOAR from Massachusetts, and let the invitation be given outside of official character, to save the name; then, if he did not move off, I'd go for serving him as they did the Spanish consul in New Orleans. These English niggers and Yankee niggers are fast destroying the peace of Charleston."

"You would, would you?" said another. "Then you would incite the fury of an ungovernable mob to endanger the man's life for carrying out the instructions of his government."

"That don't begin to be all that he does, for he's meddling with every thing, and continually making

remarks about our society," said Grimshaw, evidently intending to create ill feeling against the consul, and to make the matter as bad as possible.

"Now, Mr. Grimshaw," said the factor, "you know your jail is not fit to put any kind of human beings into, much less respectable men. It's an old Revolutionary concern, tumbling down with decay, swarming with insects and vermin; the rooms are damp and unhealthy, and without means to ventilate them; the mildew and horrible stench is enough to strike disease into the strongest constitution; and you aggravate men's appetites with food that's both insufficient and unwholesome, I know, because I visited a friend who was put in there on 'mesne process.'"

"There is little confidence to be placed in the stories of prisoners; they all think they must be treated like princes, instead of considering that they are put there for cause, and that a jail was intended for punishment," interrupted Grimshaw, anxious to change the subject of conversation, and displaying an habitual coldness to misfortune which never can see the gentleman in *a prisoner*.

"Yes, but you must not measure men by that standard. Circumstances which bring them there are as different as their natures. I've known many good, honest, and respectable citizens, who once enjoyed affluence in our community, put in there, month after month, and year after year, suffering the persecution of creditors and the effects of bad laws. Now these men would not all complain if there was no cause, and they all loved you, as you state. But tell me, Mr. Grimshaw, would it not be even safer for our institutions to make a restriction confining them to the wharf, which could be easily done, and with

but small expense to the city? Niggers on the wharves could have no communication with them, because each is occupied in his business, and ours are too closely watched and driven during working hours. As soon as those hours end, they are bound to leave, and the danger ends. Again, these niggers who work on the wharves are generally good niggers, while, on the other hand, bad niggers are put into jail; and during the hours these stewards are allowed the privilege of the yard, they mix with them without discrimination or restraint. Their feelings, naturally excited by imprisonment, find relief in discoursing upon their wrongs with those of their own color, and making the contamination greater," said the factor, who seemed inclined to view the matter in its proper light.

"Oh! what sir? That would never do. You mistake a nigger's feelings entirely. Privileges never create respect with them. Just make a law to leave 'em upon the wharf, and five hundred policemen wouldn't keep 'em from spoiling every nigger in town, just destroying the sovereignty of the law, and yielding a supreme right that we have always contended for. It's *contrary to law*,' and we must carry out the law," replied Grimshaw.

"Pshaw! Talk such stuff to me! Just take away the sixteen hundred or two thousand dollars that you make by the law, and you'd curse it for a nuisance. It would become obsolete, and the poor devils of stewards would do what they pleased; you'd never trouble your head about them. Now, Grimshaw, be honest for once; tell us what you would do if circumstances compelled the Captain to leave that nigger boy here?"

"Carry out the letter of the law; there's no alternative. But the Captain swears he's a white man, and that would give him an opportunity to prove it."

"How is he to prove it, Grimshaw? We take away the power, and then ask him to do what we make impossible. Then, of course, your would carry out the letter of the law and sell him for a slave. * * * Well, I should like to see the issue upon a question of that kind carried out upon an English nigger. It would be more of a curse upon our slave institution than every thing else that could be raised," said the factor.

"Gentlemen, you might as well preach abolition at once, and then the public would know what your sentiments were, and how to guard against you. I must bid you *good-by*." So saying, Mr. Grimshaw twisted his whip, took a large quid of tobacco, and left the company to discuss the question among themselves.

CHAPTER XVIII.

LITTLE TOMMY AND THE POLICE.

We must take the reader back to the old jail, and continue our scene from where we left little Tommy spreading the Captain's present before the imprisoned stewards, whose grateful thanks were showered upon the head of the bestower. Kindness, be it ever so small, to a man in prison, is like the golden rays of the rising sun: lighting up the opening day. They all partook of the refreshments provided for them with grateful spirits.

It was near ten o'clock when Daley came to announce that it was time to close the prison, and all strangers must withdraw. Tommy had insisted upon stopping with Manuel during the night, but Daley,* in a very rude manner, told him it was against the rules, and putting his hand to his back, pushed him out of the cell and secured the bolts. The little fellow felt his way through the passage and down the stairs in the dark until he reached the corridor, where the jailer stood awaiting to let him pass the outer iron-

* This man Daley was a proverbial drunkard, a tyrant in the exercise of his "little brief authority," and a notorious ——. Singular as it may seem, considering his position, he would quarrel with the men for a glass of whiskey, had given the jailer more trouble than any other man, and been several times confined in the cells for his incorrigible vices. If any thing more was wanting to confirm our note, we could refer to Colonel Condy, the very gentlemanly United States marshal.

gate. "You've made a long stay, my little fellow. You'll have a heap o' trouble to find the whisf at this time o' night. I'd o' let you stopp'd all night, but with strictly against the sheriff's orders," said the jailer, as he passed into the street, at the same time giving him a list of imperfect directions about the course to proceed.

The jail is in a distant and obscure part of the city, surrounded by narrow streets and lanes, imperfectly laid out and undefined. In leaving the walls of the prison, he mistook his direction, and the night being very dark, with a light, drizzling rain, which commenced while he was in the prison, the whole aspect of things seemed reversed. After travelling about for some time, he found himself upon a narrow strip of land that crossed a basin of water and led to Chisholm's mill. The different appearance of things here convinced him of his error. Bewildered, and not knowing which way to proceed, he approached a cross road, and sitting down upon a log, wept bitterly. He soon heard a footstep, and as it approached, his cares lightened. It proved to be a negro man from the mill,* bound into the city on the usual errand of pro-

* These mills are worked all night, and the poor negroes, wishing to follow an example which means sets on a grand table, sure that they have an excuse in the fatigue of labor, will delegate some shrewd one of their number to proceed to a Dutch "corner-shop" in the suburbs, run the gauntlet of the police, and get a bottle of whiskey. When interrogated, they are always "going for a bottle of molasses." They keep a keen watch for the police, and their cunning modes of eluding their vigilance form many amusing anecdotes. They are bound to have a pass from master, or some white man; but if they can reach the shop in safety, the Dutchman will always furnish them with one to return. It not unfrequently happens that the guard-men are much more

curing a little of molasses. When he first discovered Tommy, he started back a few paces, as if in fear; but on being told by Tommy that he was lost, and wished to find his way to the wharves, he approached and recovering confidence readily, volunteered to see him to the corner of Broad street. So, taking him by the hand, they proceeded together until they reached the termination of the causeway, and were about to enter Tradd street, when suddenly a guardman sprang from behind an old shed. The negro, recognising his white belt and tap-stick, made the best of his time, and set off at full speed down a narrow lane. The watchman proceeded close at his heels, springing his rattle at every step, and pouring out a volley of vile imprecations. Tommy stood for a few moments, but soon the cries of the negro and the beating of clubs broke upon his ear; he became terrified, and ran at the top of his speed in an opposite direction. Again he had lost his way, and seemed in a worse dilemma than before; he was weary and frightened, and hearing so many stories among the sailors about selling white children for slaves, and knowing the imprisonment of Manuel, which he did not compre-

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ignorant than the slaves. The latter knowing this, will endeavor to find their section and approach by it, taking with them either an old pass or a forged one, which the guard-man makes a wonderful piece of importance about examining and countersigning, though he can neither read nor write. Thus Sambo passes on to get his molasses, laughing in his sleeve to think how he "*fool* [illegible] *backra*." A change of guard often forms a trap for Sambo, when he is lagged to the guard-house, kept all night, his master informed in the morning, and requested to step up and pay a fine, or Sambo's back catches thirty-nine, thus noting a depreciation of value upon the property. Sometimes his master pays the municipal fine, and administers a domestic castigation less lacerating.

[illegible] his feelings were excited to the highest degree. After running for a few minutes, he stopped to see if he could recognize his position. The first thing that caught his eye was the old jail, looming its sombre walls in the gloomy contrast of night. He followed the walls until he reached the main gate, and then, taking an opposite direction from his former route, proceeded along the street until he came to a lantern, shedding its feeble light upon the murky objects at the corner of a narrow lane. Here he stood for several minutes, not knowing which way to proceed; the street he was in continued but a few steps farther, and turn which over way he would, darkness and obstacles rose to impede his progress. At length he turned down the lane, and proceeded until he came to another junction of streets; taking one which he thought would lead him in the right direction, he wandered through it and into a narrow, circuitous street, full of little, wretched-looking houses. A light glimmered from one of them, and he saw a female passing to and fro before the window. He approached and rapped gently upon the door. Almost simultaneously the light was extinguished. He stood for a few minutes, and again rapped louder than before; all was silent for some minutes. A drenching shower had commenced, adding to the already gloomy picture; and the rustling leaves on a tree that stood near gave an ominous sound to the excited feelings of the child. He listened at the door with anxiety and fear, as he heard whispers within; and as he was about to repeat his rapping, a window on the right hand was slowly raised. The female who had been pacing the floor protruded her head with a caution that bespoke alarm. Her long, black hair

hanging about her shoulders, and her tawny, Indian countenance, with her ghost-like figure dressed in a white habiliment, struck him with a sort of terror that wellnigh made him run.

"Who is that, at this time of night?" inquired the woman, in a low voice.

"It's only me. I'm lost, and can't find my way to our vessel," said Tommy, in a half-crying tone.

"Mother," said the woman, shutting the window, "it's only a little sailor-boy, a stranger, and he's wet through."

She immediately unbarred and opened the door, and invited him to come in. Stepping beyond the threshold, she closed the door against the storm, and placing a chair at the fire, told him to sit down and warm himself. They were mulatto half-breeds, retaining all the Indian features which that remnant of the tribe now in Charleston are distinguished by—a family well known in the city, yet under the strictest surveillance of the police. Every thing around the little room denoted poverty and neatness. The withered remnant of an aged Indian mother lay stretched upon a bed of sickness, and the daughter, about nineteen years old, had been watching over her, and administering those comforts which her condition required. "Why, mother, it's a'most twelve o'clock. I don't believe he'll come to-night,* and this little boy can stop till morning in our room up-stairs," said

* She awaited her *friend*, or rather he whose mistress she had condescended to be, after passing from several lords. The history of this female remnant of beautiful Indian girls now left in Charleston, is a mournful one. The recollection of their noble sires, when contrasted with their present unhappy associations, affords a sad subject for reflection.

she, looking up at an old Connecticut clock that adorned the mantel-piece.

"Oh! I could not stay all night. The mate would be uneasy about me, and might send the crew to look for me. I'm just as thankful, but I couldn't stop," said Tommy.

"But you never can find the bay on such a night as this; and I've no pass, or I would show you into Broad street, and then you could find the way. I am afraid of the guardmen, and if they caught me and took me to the station, my friend would abuse me awfully," said Angeline, for such was her name; and she laid her hand upon his arm to feel his wet clothes.

He now arose from the chair, and putting on his hat, she followed him to the door and directed him how to proceed to find Broad street.

He proceeded according to her directions, and soon found it. Now, he thought, he was all right; but the wind had increased to a gale, and having a full sweep through the street, it was as much as he could do to resist it. He had scarcely reached half the distance of the street when it came in such sudden gusts that he was forced to seek a refuge against its fury in the recess of a door. He sat down upon a step, and buttoning his little jacket around him, rested his head upon his knees, and while waiting for the storm to abate, fell into a deep sleep. From this situation he was suddenly aroused by a guardman, who seized him by the collar, and giving him an unmerciful twitch, brought him headlong upon the sidewalk.

"What are you at here? Ah! another miserable vagrant, I suppose. We'll take care of such rascals

as you; come with me. We'll larn ye to be round stealing at this time o' night."

"No, sir! no, sir! I didn't do nothing"——

"Shut up! None of your lyin' to a policeman, you young rascal. I don't want to hear, nor I won't stand your infernal lies."

"Oh do, mister, let me tell you all about it, and I know you won't hurt me. I'm only going to the vessel, if you'll show me the way," said the little fellow imploringly.

"Step yer noise, ye lying young thief, you. Ye wouldn't be prowling about at this time o' night if ye belonged to a vessel. 'Pon me soul, I believe yer a nigger. Come to the light," said the guardman, dragging him up to a lamp near by. "Well, you a'n't a nigger, I reckon, but yer a strolling vagrant, and that's worse," he continued, after examining his face very minutely. So, dragging him to the guard-house as he would a dog, and thrusting him into a sort of barrack-room, the captain of the guard and several officials soon gathered around him to inquire the difficulty. The officers listened to the guardman's story, with perfect confidence in every thing he said, but refused to allow the little fellow to reply in his own behalf. "I watched him for a long time, saw him fumbling about people's doors, and then go to sleep in Mr. T——'s recess. These boys are gettin' to be the very mischief—most dangerous fellows we have to deal with," said the policeman.

"Oh, no! I was only goin' to the brig, and got turned round. I've been more than two hours trying to find my way in the storm. I'm sure I a'n't done no harm. If ye'll only let me tell my story," said Tommy.

"Shut up! We want no stories till morning. The mayor will settle your hash to-morrow; and if you belong to a ship, you can tell him all about it; but you'll have the costs to pay anyhow. Just lay down upon that bench, and you can sleep there till morning; that's better than loafing about the streets," said the captain of the guard, a large, portly-looking man, as he pointed Tommy to a long bench similar to those used in barrack-rooms.

The little fellow saw it was no use to attempt a hearing, and going quietly to the bench, he pulled off his man-a-war hat, and laying it upon a chair, stretched himself out upon it, putting his little hands under his head to ease it from the hard boards.

But he was not destined to sleep long in this position, for a loud, groaning noise at the door, broke upon their ears through the pelting fury of the storm, like one in agonizing distress.

"Heavens! what is that!" said the captain of the guard, suddenly starting from his seat, and running for the door, followed by the whole posse. The groans grew louder and more death-like in their sound, accompanied by strange voices, giving utterance to horrible imprecations, and a dragging upon the floor. The large door opened, and what a sight presented itself! Three huge monsters, with side-arms on, dragged in the poor negro who proffered to show Tommy into Broad street. His clothes were nearly torn from his back, besmeared with mud from head to foot, and his face cut and mangled in the most shocking manner. His head, neck, and shoulders, were covered with a gore of blood, and still it kept oozing from his mouth and the cuts on his head. They dragged him in as if he was a dying dog that had

been beaten with a club, and threw him into a corner, upon the floor, with just about as much concern.

"Oh! massa! massa! kill me, massa, den 'em stop sufferin'!" said the poor fellow, in a painful murmur, raising his shackled hands to his head, and grasping the heavy chain that secured his neck, in the agony of pain.

"What has he done?" inquired the officer.

"Resisted the guard, and ran when we told him to stop!" responded a trio of voices. "Yes, and attempted to get into a house. Ah! you vagabond you; that's the way we serve niggers like you!—Attempt to run again, will you? I'll knock your infernal daylights out, you nigger you," said one of the party.

"It does seem to me that you might have taken him, and brought him up with less severity," said the officer.

"What else could we do, sure? Didn't we catch him prowling about with a white fellow, and he runn'd till we couldn't get him. Indeed it was nothing good they were after, and it's the like o' them that bees doing all the mischief beyant the city."

"An' 'imself, too, struck Muldown two pokes, 'efore he lave de hancuffs be pat upon him, at all!" said another of the guardmen; and then turning around, caught a glimpse of poor little Tommy, who had been standing up near a desk, during the scene, nearly "frightened out of his wits."

"By the pipers,—what! and is't here ye are? The same that was with himself beyant! Come here, you spalpeen you. Wasn't ye the same what runn'd whin we bees spaken to that nigger?" said the same

guardman, taking hold of Tommy's arm, and drawing him nearer the light.

"Yes, he was coming along with me, to show me"——

"Stop!—you know you are going to lie already. Better look 'em both up for the night, and let them be sent up in the morning," said another.

"Then you won't let me speak for myself——"

"Hush, sir!" interrupted the officer; "you can tell your story in the morning! but take care you are not a vagrant. If it's proved that you were with that nigger at the improper hour, you'll get your back scarred. Come, you have owned it, and I must lock you up."

Without attempting to wash the blood off the negro, or dress his wounds, they unlocked the handcuffs, and loosened the chain from his neck, handling him with less feeling than they would a dumb brute. Relieved of his chains, they ordered him to get up.

The poor creature looked up imploringly, as if to beg them to spare his life, for he was too weak to speak. He held up his hands, drenched with blood, while beneath his head was a pool of gore that had streamed from his wounds. "None of your infernal humbuggery—you could run fast enough. Just get up, and be spry about it, or I'll help you with the cowhide," said the officer, calling to one of the guardmen to bring it to him. He now made an effort, and had got upon his knees, when the guardman that seemed foremost in his brutality fetched him a kick with his heavy boots in the side, that again felled him to the ground with a deep groan.

"Ot-tut! that will not do. You mus'n't kill the nigger; his master will come for him in the morning."

said the officer, stooping down and taking hold of his arm with his left hand, while holding a cowhide in his right. "Come, my boy, you must get up and go into the lock-up," he continued.

"Massa! oh, good massa, do—don't! I's most dead now, wha'for yo no lef me whare a be?" said he in a whining manner; and making a second attempt, fell back upon the floor, at which two of them seized him by the shoulders, and dragging him into a long, dark, cell-like room, threw him violently upon the floor. Then returning to the room, the officer took Tommy by the arm, and marching him into the same room, shut the door to smother his cries. The little fellow was so frightened, that he burst into an excitement of tears. The room was dark, and as gloomy as a cavern. He could neither lie down, sleep, nor console himself. He thought of Manuel, only to envy his lot, and would gladly have shared his imprisonment, to be relieved from such a horrible situation. Morning was to bring, perhaps, worse terrors. He thought of the happy scenes of his rustic home in Dunakade, and his poor parents, but nothing could relieve the anguish of his feelings. And then, how could he get word to his Captain? If they were so cruel to him now, he could not expect them to be less so in the morning. In this manner, he sat down upon the floor with the poor negro, and, if he could do nothing more, sympathized with his feelings. The poor negro murmured and groaned in a manner that would have enlisted the feelings of a Patagonian; and in this way he continued until about three o'clock in the morning, when his moaning became so loud and pitiful, that the officer of the guard came to the door with an attendant, and unbolting it, entered with a

lantern in his hand. He held the light toward his face, and inquired what he was making such a noise about? "Oh! good massa, good massa, do send for docta; ma head got a pile o' cuts on him," said he, putting his hand to his head. The officer passed the lantern to his attendant, and after putting a pair of gloves on his hands, began to feel his head, turn aside his torn clothes, and wipe the dirt from the places where the blood seemed to be clotted. "Good gracious! I didn't conjecture that you were cut so bad. Here, my good fellow, (addressing himself to Tommy,) hold the lantern. Michael, go get a pail of water, and some cloths," said he, very suddenly becoming awakened to the real condition of the man, after he had exhibited a coldness that bordered on brutality.

Water and cloths were soon brought. The attendant, Michael, commenced to strip his clothes off, but the poor fellow was so sore that he screeched, in the greatest agony, every time he attempted to touch him. "Be easy," said the officer, "he's hurt pretty badly. He must a' been mighty refractory, or they'd never beaten him in this manner," he continued, opening a roll of adhesive plaster, and cutting it into strips. After washing him with water and whiskey, they dressed his wounds with the plaster, and bound his head with an old silk handkerchief which they found in his pocket, after which they left the light burning and retired.

After they retired, Tommy inquired of the negro how they came to keep him so long, before they brought him to the guard-house? It proved, that as soon as they came up with him, the first one knocked him down with a club; and they all at once commenced beating him with their bludgeons, and continued until

they had satisfied their mad fury. And while he lay groaning in the streets, they left one of their number in charge, while the others proceeded to get handcuffs and chains, with which they bound him, and dragged him, as it were, the distance of four squares to the guard-house. What a sublime picture for the meditations of a people who boast of their bravery and generosity!

CHAPTER XIX.

THE NEXT MORNING, AND THE MAYOR'S VERDICT.

SHORTLY after daylight, Tommy fell into a dozing sleep, from which he was awakened by the mustering of the prisoners who had been brought up during the night, and were to appear before the mayor at nine o'clock. A few minutes before eight o'clock, an officer opened the cell-door, and they were ordered to march out into a long room. In this room they found all the prisoners gathered. There were three blacks and five whites, who had been arrested on different charges; and as the mayor's court was merely a tribunal of commitment—not judgment—if the charges upon which the prisoners were brought up were sustained—which they generally were, because the policeman who made the arrest was the important witness, they were committed to await the tardy process of the law.

Considerable uneasiness had been felt on board of the Janson for Tommy, and the Captain suggested that he might have got astray among the dark lanes

of the city, and that the mate had better send some of the crew to look for him. The mate, better acquainted with Tommy's feelings and attachment for Manuel than he was with the rules of the prison and Mr. Grimshaw's arbitrary orders, assured the Captain that such a course would be entirely unnecessary, for he knew when he left that he would stop all night with Manuel. This quieted the Captain's apprehensions, and he said no more about it until he sat down to breakfast. "I miss Tommy amazingly," said the Captain. "If he stopped all night, he should be here by this time. I think some one had better be sent to the jail to inquire for him." Just as he arose from the table, one of the crew announced at the companion that a person on deck wished to see the Captain. On going up, he found a policeman, who informed him that a little boy had been arrested as a vagrant in the street, last night, and when brought before the mayor a few minutes ago, stated that he belonged to his vessel, and the mayor had despatched him to notify the master. "Circumstances are suspicious; he was seen in company with a negro of very bad habits; but if you can identify the boy, you had better come quick, or he'll be sent to jail, and you'll have some trouble to get him out," said the messenger, giving the Captain a description of the boy.

"Oh yes!" said the Captain, "that's my Tommy. I verily believe they'll have us all in jail before we get away from the port." Numerous appointments engrossed his time, and he had promised to meet the consul at an early hour that morning. Notwithstanding this, he gave a few orders to the mate about getting the hatches ready and receiving the portwardens, and then immediately repaired to the all-

important guard-house. He was just in time to receive the mortifying intelligence that the mayor's court had concluded its sitting, and to see little Tommy, with a pair of handcuffs on his hand, in the act of being committed to jail by a Dutch constable. He stopped the constable, and being told that his honor was yet in the room, put a couple of dollars into his hand to await his intercession. Another fortunate circumstance favored him; just as he stopped the constable, he saw his friend, Colonel S——, approaching. The colonel saw there was trouble, and with his usual, characteristic kindness, hastened up and volunteered his services.

We must now return to the arraignment, as it proceeded after the messenger had been despatched.

The negro confined with Tommy presented a wretched picture when brought into the light room among the other prisoners. His head was so swollen that no trace of feature was left in his face. Cuts and gashes were marked with plaster all over his neck and face; his head tied up with an old red handkerchief; his eyes, what could be seen of them, more like balls of blood than organs of sight; while the whiskey and water with which his head had been washed, had mixed with the blood upon his clothes, and only served to make its appearance more disgusting. Altogether, a more pitiful object never was presented to human sight.

Some minutes before the clock struck nine, an intelligent-looking gentleman, very well dressed, and portly in his appearance, entered the room. He was evidently kindly disposed, but one of those men whose feelings prompt them to get through business with despatch, rather than inquire into the circumstances

of aggravated cases. He held a consultation with the officer for some minutes with reference to the prisoners. After which he mounted a little tribune, and addressing a few words to the white prisoners, (a person who acted the part of clerk announced court by rapping upon a desk with a little mallet,) inquired whether the officers had notified the owners of the negroes. Being informed that they had, he proceeded with the negroes first. One, by some good fortune, was taken away by his master, who paid the usual fee to swell the city treasury; another was sentenced to receive twenty paddles on the frame at the workhouse; and the third, the man we have described, being brought forward, weak with the loss of blood, leaned his hand upon the back of a chair. "Stand up straight!" said the officer, in a commanding tone.

"Now, my boy, this is twice you have been before this court. Your master has left you to the mercy of the law, and given strict orders to the police in the event that you were caught a third time. Your crime is worse now, for you were caught in company with that white boy—probably on some errand of villany, prowling about the streets after *drum-beat*. I shall, in consideration of the facts here stated by the police, whose evidence I am bound to recognise, sentence you to nineteen paddles on the frame, and to be committed to jail, in accordance with your master's orders, there to await his further directions.

"Arraign the white prisoners according to the roll, Mr. ——. Have you sent a message to the Captain about that boy?" inquired the mayor.

"No, yer honor; but I will send at once," said the officer, stepping into the passage and calling an attendant.

The little fellow was arraigned first. He stood up before the mayor while the ruffianly policeman who arrested him preferred the charges and swore to them, adding as much to give coloring as possible. "Now, my man, let me hear what you have got to say for yourself. I have sent for your captain," said the mayor, looking as if he really felt pity for the little fellow.

He commenced to tell his simple story, but soon became so convulsed with tears that he could proceed no further. "I only went to the jail to see Manuel, the steward, and I got lost, and begged the black man to show me the way"—— said he, sobbing.

"Well, I have heard enough," said the mayor, interrupting him. "You could not have been at the jail at that time o' night—impossible. It was after hours—contrary to rules—and only makes the matter worse for yourself. You can stand aside, and if the Captain comes before court is through, we will see further; if not, you must be committed as a vagrant. I'm afraid of you young strollers."

The officer of the guard, as if the poor boy's feelings were not already sufficiently harassed, took him by the arm, and pushing him into a corner, said, "There, you young scamp, sit down. You'll get your deserts when you get to the jail."

He sat down, but could not restrain his feelings. The presence of the Captain was his only hope. He saw the prisoners arraigned one by one, and join him as they were ordered for committal. He was handcuffed like the rest, and delivered to the constable. The reader can imagine the smile of gladness that welcomed the Captain's timely appearance. The latter's exhibition of feeling, and the simple exclamation of the child's joy, formed a striking picture of

that fondness which a loving child manifests when meeting its parents after a long absence.

"Take the irons off that child," said the colonel to the constable. "A man like you should not put such symbols of ignominy upon a youth like that."

"I would do any-thing to oblige you, colonel; but I cannot without orders from the mayor," returned the man, very civilly.

"I'll see that you do, very quick," rejoined the colonel, impatiently; and taking the little fellow by the arm in a compassionate manner, led him back into the presence of the mayor, followed by the Captain.

"I want to know what you are committing this lad for," said the colonel, setting his hat upon the table, while his face flushed with indignation.

"Vagrancy, and caught prowling about the streets with a negro at midnight. That is the charge, *colonel*," replied the mayor, with particular condescension and suavity.

"Was there any proof adduced to substantiate that fact?"

"None but the policeman's; you know we are bound to take that as *prima facie*."

"Then it was entirely *ex parte*. But you know the character of these policemen, and the many aggravated circumstances that have arisen from their false testimony. I wish to cast no disrespect, your honor; but really they will swear to any thing for a fee, while their unscrupulous bribery has become so glaring, that it is a disgrace to our police system. Have you heard the boy's story?" said the colonel.

"Well, he began to tell a crooked story, so full

of admissions, and then made such a blubbering about it, that I couldn't make head or tail of it."

"Well, here is the Captain of his vessel, a friend of mine, whom I esteem a gentleman—for all captains ought to be gentlemen, not excepting Georgia captains and majors," said the colonel, jocosely, turning round and introducing the Captain to his honor. "Now, your honor, you will indulge me by listening to the little fellow's story, which will be corroborated in its material points by the statements of the Captain, which, I trust, will be sufficient; if not, we shall recur to the jailor."

"It will be sufficient. I am only sorry there has been so much trouble about it," said the mayor.

The boy now commenced to tell his story, which the mayor listened to with all learned attention. No sooner had Tommy finished, and the Captain arose to confirm his statements, than the mayor declared himself satisfied, apologized for the trouble it had caused, and discharged the boy upon paying the costs, the amount of which the colonel took from his pocket and threw upon the table. Thus was Tommy's joy complete; not so the poor negro whose ill luck he shared. This high-sounding mayor's court was like Cæsar's court, with the exceptions in Cæsar's favor.

CHAPTER XX.

DEBUTS AMONG THE STEWARDS.

SEVERAL days had passed ere we again introduce the reader to the cell of the imprisoned stewards. The captain of the *Janson* had been assured by Mr. Grimshaw that every thing was comfortable at the jail, and Manuel would be well cared for. Confiding in this, the activity of the consul to bring the matter before the proper authorities—and the manner in which his own time was engrossed with his business—left him no opportunity to visit Manuel at the jail. Tommy and one of the sailors had carried him his hammock, and a few things from the ship's stores; and with this exception, they had but little to eat for several days. Copeland had but a few days more to remain, and, together with those who were with him, had exhausted their means, in providing from day to day, during their imprisonment. The poor woman who did their washing, a generous-hearted mulatto, had brought them many things, for which she asked no compensation. Her name was *Jane Bee*, and when the rules of the jail made every man his own *washerwoman*, she frequently washed for those who had nothing to pay her. But her means were small, and she worked hard for a small pittance, and had nothing to bring them for several days. They were forced to take the allowance of bread, but could not muster resolution to eat the sickly meat.

Those who had suffered from it before, took it as a

natural consequence, looking to the time of their release, as if it was to bring a happy change in their lives. But Manuel felt that it was an unprecedented outrage upon his feelings, and was determined to remonstrate against it. He knocked loudly at the door, and some of the prisoners hearing it, reported to the jailer, who sent Daley to answer it. As soon as the door was opened, he rushed past, and succeeded in gaining the iron door that opened into the vestibule, where he could converse with the jailer, through the grating, before Daley could stop him.

The jailer seeing him at the grating, anticipated his complaint. "Well, Pereira,—what's the matter up-stairs?" said he.

"For God's sake, jailer, what am I put in here for—to starve? We cannot eat the meat you send us, and we have had little else than bread and water for three days. Do give us something to eat, and charge it to consul, or Captain, an' I'll pay it from my wages when I get out, if I ever do," said he.

"My dear fellow!" said the jailer, "no one knows your case better than I do; but I am poor, and the restrictions which I am under allow me no privilege. You had all better take your meat in the morning—if you won't take soup—and try to cook it, or get Jane to do it for you. I will give you some coffee and bread from my own table, to-night, and you better say as little about it as possible, for if Grimshaw hears it, he may lock you up."

"Do, I shall be very thankful, for we are really suffering from hunger, in our cell, and I pay you when I get money from Captain," said Manuel, manifesting his thankfulness at the jailer's kindness.

"I will send it up in a few minutes, but you

needn't trouble yourself about pay—I wouldn't accept it!" said the jailer; and as good as his word, he sent them up a nice bowl of coffee for each, and some bread, butter, and cheese. They partook of the humble fare, with many thanks to the donor. Having despatched it, they seated themselves upon the floor, around the faint glimmer of a tin lamp, while Copeland read the twentieth and twenty-first chapters of the Acts of the Apostles. Copeland was a pious negro, and his behaviour during his imprisonment enlisted the respect of every one in jail. Singular as the taste may seem, he had his corner in the cell decorated with little framed prints. Among them we noticed one of the crucifixion, and another of the Madonna.

After reading the chapters, they retired to their hard beds. About nine o'clock the next morning, Daley came to the door with a piece of neck meat, so tainted and bloody that its smell and looks more than satisfied the stomach.

"Here it is, boys," said he; "yer four pound, but ye's better take soup, cos ye'll niver cook that thing, anyhow."

"Do you think we're like dogs, to eat such filth as that? No! I'd rather starve!" said Manuel.

"Indeed, an' ye'll larn to ate any thing win ye'd be here a month. But be dad, if ye don't watch number one about here, ye's won't get much nohow," replied Daley, dropping the bloody neck upon the floor, and walking out.

"Better take it," said Copeland. "There's no choice, and hunger don't stand for dainties, especially in this jail, where everybody is famished for punishment. If we don't eat it, we can give it to some of the poor prisoners up-stairs."

"While I have good ship-owners, and a good Captain, I never will eat such stuff as that; oh! no," returned Manuel.

The meat was laid in a corner for the benefit of the flies; and when dinner time arrived, the same hard extreme arrived with it—bread and water. And nobody seemed to have any anxieties on their behalf; for two of them had written notes to their Captains, on the day previous, but they remained in the office for want of a messenger to carry them. Fortunately, Jane called upon them in the afternoon, and brought a nice dish of rice and another of homony.

We will here insert a letter we received from a very worthy friend, who, though he had done much for the Charleston people, and been repaid in persecutions, was thrown into jail for a paltry debt by a ruthless creditor. Cleared by a jury of twelve men, he was held in confinement through the wretched imperfection of South Carolina law, to await nearly twelve months for the sitting of the "Appeal Court," more to appease the vindictiveness of his enemies than to satisfy justice, for it was well understood that he did not owe the debt. His letter speaks for itself.

Charleston Jail, March 31, '52.

MY DEAR FRIEND,—I could not account for your absence during the last few days, until this morning, when Mr. F****** called upon me for a few moments, and from him I learnt that you had been quite unwell. If you are about to-morrow, do call upon me; for a more dreary place, or one where less regard is paid to the calls of humanity, cannot be found among the nations of the earth.

Such is the ordinary condition of suffering within this establishment, that men, and even women, are forced to all kinds of extremes to sustain life; and, to speak what experience has taught me, crime is more increased than reduced by this wretched system. There seems to be little distinction among the prisoners, and no means to observe it, except in what is called *Mount Rascal* on the third story. Pilfering is so common, that you cannot leave your room without locking your door. The jailer is a good, kind-hearted old man, very often giving from his own table to relieve the wants of debtors, many of whom repay him with ingratitude. I have suffered many privations from shipwreck and cold, but never until I came to South Carolina was I compelled to endure imprisonment and subsist several days upon bread and water.

Talk about chivalry and hospitality! How many men could join with me and ask, "Where is it?" But why should I demur, when I see those abroad who have been driven from this State to seek bread; when I hear the many voices without toll of struggling to live, for want of system in mechanical employment, and when I look upon several within these sombre walls who are even worse than me. Here is a physician, with a wife and large family, committed for a debt which he was unable to pay. His father's name stands among the foremost of the State—a General of distinction; who offered his life for her in time of war, and whose name honors her triumphs, and has since graced the councils of state.* The

* General Hammond, whose name occupies such a conspicuous place in the military history of South Carolina.

father's enthusiasm for his country's cause led him to sacrifice his all, and by it he entailed misfortune upon his descendants. When I consider the case of Shannon, whose eleven years and seven months' imprisonment for debt, as it was called, but which eventually proved to be a question turning upon technicalities of law, gave him, body and soul, to the vindictiveness of a persecutor, whose unrelenting malignity was kept up during that long space of time. It was merely a breach of limitation between merchants, the rights of which should be governed by commercial custom. Shannon had amassed about twenty thousand dollars by hard industry; his health was waning, and he resolved to retire with it to his native county. The gem proved too glaring for the lynx eye of a "true Carolinian," who persuaded him to invest his money in cotton. Moved by flattering inducements, he authorized a factor to purchase for him upon certain restrictions, which, unfortunately for himself, were not drawn up with regard to legal enforcement—one of those singular instruments between a merchant and an inexperienced man which a professional quibbler can take advantage of. Cotton was at the *tip-top*, and very soon Shannon was presented with an account of purchase, and draft so far beyond his limits, that he demurred, and rejected the purchase entirely; but some plot should be laid to entrap him. The factor undertook the force game, notified him that the cotton was held subject to his order, and protested the draft for the appearance of straightforwardness. Cotton shortly fell to the other extreme, the lot was "shoved up" for sale on Shannon's account, Shannon was sued for the balance, held to bail, and in default committed to prison. His confinement

and endurance of it would form a strange chapter in the history of imprisonment for debt. Carrying his money with him, he closed the door of his cell, and neither went out nor would allow any one but the priest to enter for more than three years; and for eleven years and seven months he paced the room upon a diagonal line from corner to corner, until he wore the first flooring, of two-and-a-quarter-inch pine, entirely through.

I might go on and tell of many others, whose poverty was well known, and yet suffered years of imprisonment for debt; but I find I have digressed.

I must relate an amusing affair which took place this morning between Manuel Pereira, the steward of the English brig Janson, which put into this port in distress, and the jailer. He is the man about whom so much talk and little feeling has been enlisted—a fine, well-made, generous-hearted Portuguese. He is olive-complexioned—as light as many of the Carolinians—intelligent and obliging, and evidently unaccustomed to such treatment as he receives here.

Manuel appeared before the jailer's office this morning with two junks of disgusting-looking meat, the neck-bones, tainted and bloody, in each hand. His Portuguese ire was up. "Mister Poulnot, what you call dis? In South Carolina you feed man on him, ah? In my country, ah yes! we feed him to dog. What you call him? May-be somethin' what me no know him. In South Carolina, prison sailor when he shipwreck, starve him on nosin', den tell him eat this, ah! I sails 'round ze world, but never savage man gives me like zat to eat! No, I starve 'fore I eat him, be gar! Zar, you take him," said he, throwing the pieces of meat upon the floor in disdain.

"Meat! Yes, it's what's sent here for us. You mustn't grumble at me; enter your complaints to the sheriff, when he comes," said the jailer, with an expression of mortification on his countenance.

"Meat, ah! You call dat meat in South Carolina? I call him bull-neck, not fit for dog in my country. I see, when Capitan come, vat he do," said Manuel, turning about and going to his room in a great excitement.

"You'd better be careful how you talk, or you may get locked up when the sheriff comes."

It seems that the Captain had received a note from him, addressed by one of the white prisoners on the same floor, and reached the jail just as Manuel had ascended the stairs. He rang the bell and requested to see Manuel.

"Manuel Pereira?" inquired the jailer.

"Yes," said the Captain, "he is my steward." He heard the Captain's voice, and immediately returned to the lobby. The tears ran down his cheeks as soon as he saw his old protector. "Well, Manuel, I am glad to see you, but sorry that it is in imprisonment. Tell me what is the matter. Don't they use you well here?" inquired the Captain.

Stepping within the office door, he caught up the pieces of meat, and bringing them out in his hands, held them up. "There, Capitan, that no fit for man, is it?" said he. "Law send me prison, but law no give not'ing to eat. What I do dat people treat me so? Ah, Capitan, bull neck, by gar, yes—bull born in South Carolina, wid two neck. *Ils ont réduits à l'extrémité*," said he, concluding with broken French.

"That cannot be; it's against the law to kill bulls in South Carolina," interrupted the jailer jocosely.

"Must be. I swear he bull-neck, 'cas he cum every day just him. Bull born wid one neck no cum so many. What I get for breakfast, Capitan, ah?—piece bad bread. What I got for dinner, ah?—bull-neck. Yes, what I get for supper, too?—piece bread and bucket o' water. May-be he bad, may be he good, just so he come. You think I live on dat, Capitan?" said he, in reply to the Captain's questions.

The Captain felt incensed at such treatment, and excused himself for not calling before; yet he could not suppress a smile that stole upon his countenance in consequence of Manuel's quaint earnestness.

"That is certainly strange fare for a human being; but the supper seems rather a comical one. Did you drink the bucket of water, Manuel?" inquired the Captain, retaining a sober face.

"Capitan, you know me too well for dat. I not ask 'em nozin' what he no get, but I want my coffee for suppe'. I no eat him like zat," throwing the putrid meat upon the floor again.

"Hi, hi! That won't do in this jail. You're dirtying up all my floor," said the jailer, calling a negro boy and ordering him to carry the bull-necks, as Manuel called them, into the kitchen.

"You call him dirt, ah, Miser Jailer? Capitan, just come my room; I shown him," said Manuel, leading the way up-stairs, and the Captain followed. A sight at the cell was enough, while the sickly stench forbid him to enter beyond the threshold. He promised Manuel that he would provide for him in future, and turning about suddenly, retreated into the lower lobby.

"Jailer, what does all this mean? Do you allow men to starve in a land of plenty, and to suffer in a cell like that?" asked the Captain in a peremptory tone.

"I feel for the men, but you must enter your complaints to the sheriff—the ration of the jail is entirely in his hands."

"But have you no voice in it, by which you can alleviate their situation?"

"Not the least! My duty is to keep every thing—every thing to rights, as far as people are committed. You will find the sheriff in his office, any time between this and two o'clock," said the jailer. And the Captain left as suddenly as he came.

You will think I have written you an essay, instead of a letter inviting you to come and see me. Accept it for its intention, and excuse the circumstances.

Your obedient servant,

CHAPTER XXI.

THE CAPTAIN'S INTERVIEW WITH MR. GRIMSHAW.

THE appearance of things at the jail was forlorn in the extreme. The Captain knew the integrity of Manuel, and not only believed his statement, but saw the positive proofs to confirm them. He repaired to the sheriff's office, and inquiring for that functionary, was pointed to Mr. Grimshaw, who sat in his large chair, with his feet upon the table, puffing the fumes of a very fine-flavored Havana, as unconcerned as if he was lord in sovereignty over every thing about the city. "I am captain of the Janson, and have called to inquire about my steward?" said the Captain.

"Ah! yes,—you have a *nigger fellow* in jail. Oh! by-the-by, that's the one there was so much fuss about, isn't it?" said Mr. Grimshaw, looking up.

"It is an imperative duty on me to seek the comfort of my officers and crew," said the Captain. "I received a note from my steward, this morning,—here it is, (handing him the note,) you can read it. He requested me to call upon him at the jail, where I lost no time in going, and found what he stated there to be too true. How is it! From the great liberality of tone which everywhere met my ears when I first arrived, I was led to believe that he would be made comfortable; and that the mere confinement was the only feature of the law that was a grievance. Now I find that to be the only tolerable part of it. When

a man has committed no crime, and is imprisoned to satisfy a caprice of public feeling, it should be accompanied with the most favoring attendants. To couple it with the most disgraceful abuses, as are shown here, makes it exceedingly repugnant. If we pay for confining these men, and for their living while they are confined, in God's name let us get what we pay for!"

The reader will observe that Mr. Grimshaw was a man of coarse manners and vulgar mind, with all their traces preserved on the outer man. He looked up at the Captain with a presumptuous frown, and then said, "Why, Mr. Captain, how you talk! But that kind o' talk won't do here in South Carolina. That nigger o' yourn gives us a mighty site of trouble, Captain. He doesn't seem to understand that he must be contented in jail, and live as the other prisoners do. He gets what the law requires, and if he gives us any further trouble, we shall lock him up in the third story."

"You cannot expect him to be contented, when you furnish the means of discontent. But I did not come here to argue with you, nor to ask any thing as a favour, but as a right. My steward has been left to suffer! Am I to pay for what he does not get? Or am I to pay you for the pretence, and still be compelled to supply him on account of the owners? You must excuse my feelings, for I have had enough to provoke them!" returned the Captain.

"That business is entirely my own! He gets what the State allows, and I provide. Your steward never wrote that note; it was dictated by some of them miserable white prisoners. I can hear no complaints upon such cases as them. If I were to listen

to all these nonsensical complaints, it would waste all my time. I wish the devil had all the nigger stewards and their complaints; the jail's in a fuss with them all the time. I can hear nothing further, sir—nothing further!" said Grimshaw emphatically, interrupting the Captain as he attempted to speak; at which the Captain became so deeply incensed, that he relieved his feelings in that sort of plain English which a Scotchman can best bestow in telling a man what he thinks of his character.

"You must remember, sir, you are in the office of the sheriff of the county—parish, I mean,—and I am, sir, entitled to proper respect. Begone!—avaunt! you have no right to come here and traduce my character in that way. You mustn't take me for a parish beadle," said Grimshaw, contorting the unmeaning features of his visage, and letting fly a stream of tobacco juice in his excitement.

"If you have no laws to give me justice, you have my opinion of your wrongs," returned the Captain, and taking his hat, left the office with the intention of returning to the jail. On reflection, he concluded to call upon Colonel S——, which he did, and finding him in his office, stated the circumstances to him.

"These things are the fruits of imbecility; but I am sorry to say there is no relief from them. We are a curious people, and do a great many curious things according to law, and leave a great many things undone that the law and lawmakers ought to do. But I will go with you to the jail, and whatever my influence will effect is at your service," said the Colonel, putting on his hat, and accompanying the Captain to the jail.

Mr. Grimshaw had forestalled them, and after

having given the jailer particular instructions to look Manuel up if he made any further complaint, and to carry out his orders upon the peril of his situation, met them a few steps from the outer gate, on his return. "There, Captain!" said Grimshaw, making a sort of halt, "I have given the jailer particular orders in regard to your grumbling niggor!"

Neither the Captain nor Colonel S—— took any notice of his remarks, and passed on into the jail. Colonel S—— interceded for the man, explaining the circumstances which had unfortunately brought him there, and begged the jailer's kind consideration in his behalf. The jailer told them what his orders had been, but promised to do as far as was in his power, and to see any thing that was sent to him safely delivered.

After leaving the jail, Colonel S—— proposed a walk, and they proceeded along a street running at right angles with the jail, until they came to a corner where a large brick building was in process of erection. The location was not in what might strictly be called "the heart of the city," nor was it in the suburbs. Carpenters and masons, both black and white, were busily employed in their avocations, and from the distance all seemed fair and moving with despatch. As they approached nearer, cries and moans sounded upon the air, and rose high above the clatter of the artisans' work. The Captain quickened his pace, but the colonel, as if from a consciousness of the effect, halted, and would fain have retraced his steps. "Come!" said the Captain, "let us hasten —they are killing somebody!" They approached the building, and entered by an open door in the basement. The passage, or entry-way, was filled with all

sorts of building materials; and on the left, another door opened into a long basement apartment, with loose boards laid upon the floor-joists overhead. Here in this dark apartment was the suffering object whose moans had attracted their attention. A large billet of wood, about six feet long and three feet square, which had the appearance of being used for a chopping-block, laid near. A poor negro man, apparently advanced in years, was stripped naked and bent over the block, in the shape of a horse-shoe, with his hands and feet closely pinioned to stakes, driven in the ground on each side. His feet were kept close together, and close up to the log, while he was drawn over, tight by the hands, which were spread open. Thus, with a rope around his neck, tied in a knot at the throat, with each end carried to the pinion where his hands were secured, his head and neck were drawn down to the tightest point. The very position was enough to have killed an ordinary human being in less than six hours. His master, a large, robust man, with a strong Irish brogue, started at their appearance, as if alarmed at the presence of intruders, while holding his hand in the attitude of administering another blow. "There! you infernal nigger; steal again, will you?" said he, frothing at the mouth with rage—with his coat off, his shirt-sleeves rolled up, and his face, hands, arms and shirt-bosom so bespattered with blood, that a thrill of horror ran through the Captain. On the ground lay several pieces of hoop, broken and covered with blood, while he held in his hand another piece, (which he had torn from a lime-cask,) reeking with blood, presenting the picture of a murderer bestained with the blood of his victim. But the poor sufferer's punish-

ment had wasted his strength,—his moans had become so faint as to be scarcely perceptible. His posteriors were so cut and mangled that we could compare them to nothing but a piece of bullock's-liver, with its tenacity torn by craven dogs. His body was in a profuse perspiration, the sweat running from his neck and shoulders, while the blood streamed from his bruises, down his legs, and upon some shavings on the ground. Just at this moment a boy brought a pail of water, and set it down close by the tyrant's feet. "Go away, boy!" said he, and the boy left as quick as possible. The Captain stood dismayed at the bloody picture.

"Unmerciful man!" said the colonel in a peremptory tone; "what have you been doing here? You fiend of hell, let the man up! You own slaves to bring disgrace upon us in this manner! Epithets of contempt and disgust are too good for you. It is such beasts as you who are creating a popular hatred against us, and scorning the feelings of our countrymen. Let the man up instantly; the very position you have him in is enough to kill him, and, if I'm not mistaken, you've killed him already

"Indeed, he's me own property, and it's yerself won't lose a ha'penny if he's kilt. An' I'll warrant ye he's cur't of stallin' better than the man beyant at the wurk'o'ee would be doin' it. Bad luck to the nagur, an' it's the second time he'll be doin' that same thing," said he, as unconcernedly as if he had just been killing a calf.

"I'll your own' you, you miserable wretch! Your abuse and cruel treatment of your slaves is becoming a public thing; and if you a'n't very careful, something will be done about it before council. If they

are your own, you must not treat them worse than dogs; they have feeling, if you have no compassion. Be quick! release him at once!" demanded the colonel, feeling the man's wrist and head.

The tyrant went deliberately to work, unlocking the cords. This provoked the colonel still more, and taking his knife from his pocket, he severed the cords that bound his hands and feet, while as suddenly the Captain sprang with his knife and severed those that bound his hands and neck. "Stop, Captain, stop! take no part," said the colonel, with a significant look.

"Gintlemen, I wish you wouldn't interfere with my own business," said the master.

"Take him up, you villanous wretch! I speak to you as you deserve, without restraint or respect," again the colonel repeated.

He called to the boy who was bringing the pail of water when they entered. He came forward, and taking the poor fellow by the shoulders, this beast in human form cried out, "Get up now, ye miserable thief, ye." The poor fellow made a struggle, but as the black man raised his head—which seemed to hang as a dead weight—exhaustion had left him without strength, and he fell back among the bloody shavings like a mutilated mass of lifeless flesh.

"None of your humbugging; yar [illegible] a dozen dead niggers anyhow," said he, taking up the pail of water and throwing nearly half of it over him; then passing the bucket to the black man and ordering him to get more water and wash him down; then to get some saltpetre and a sponge to sop his flesh.

"Well," said the colonel, "I have seen a good deal of cruelty to slaves, but this is the most beastly I

have ever beheld. If you don't send for a doctor at once, I shall report you. That man will die, to a moral certainty. Now, you may depend upon what I say—if that man dies, you'll feel the consequences, and I shall watch you closely."

"Sure I always takes care of me own niggers, an' it's himself that won't be asked to do a stroke of work for a week, but have the same to git well in," said the tyrant as the colonel and Captain were leaving.

"God be merciful to us, and spare us from the savages of mankind. That scene, with its bloody accompaniment, will haunt me through life. Do your laws allow such things?" said the Captain, evidently excited.

"To tell the truth, Captain," said the colonel, "our laws do not reach them. These men own a few negroes, which, being property, they exercise absolute control over; a negro's testimony being invalid, gives them an unlimited power to abuse and inflict punishment; while, if a white man attempts to report such things, the cry of '*abolitionist*' is raised against him, and so many stand ready to second the cry, that he must have a peculiar position if he does not prejudice his own interests and safety. I am sorry it is so; but it is too true, and while it stigmatizes the system, it works against ourselves. The evil is in the defects of the system, but the remedy is a problem with diverse and intricate workings, which, I own, are beyond my comprehension to solve. The reason why I spoke to you as I did when you cut the pinions from the man's hands, was to give you a word of precaution. That is a bad man. Negroes would rather be sold to a sugar plantation in Louisiana any time than be sold to him. He soon works them down; in

two years, fine, healthy fellows become lame, infirm, and sickly under him; he never gives them a holiday, and seldom a Sunday, and half-starves them at that. If his feelings had been in a peculiar mood at the instant you cut that cord, and he had not labored under the fear of my presence, he would have raised a gang of his stamp, and with the circumstance of your being a stranger, the only alternative for your safety would have been in your leaving the city."

"That vagabond has beaten the poor creature so that he will die; it can't be otherwise," said the captain.

"Oh, no; I think not, if he is well taken care of for a week or so; but it's a chance if that brute gives him a week to get well. When proud-flesh sets in, it's very tedious; that is the reason, so far as the law is concerned, that the lash was abolished and the paddle substituted—the former mangled in the manner you saw just now, while the latter is more acute and bruises less. I have seen a nigger taken from the paddle-frame apparently motionless and lifeless, very little bruised, and not much blood drawn; but he would come to and go to work in three or four days," said the colonel as they passed along together.

We would print the name of this brute in human form, that the world might read it, were it not for an amiable wife and interesting family, whose feelings we respect. We heard the cause of this cruel torture a short time after, which was simply that he had stolen a few pounds of nails, and this fomented the demon's rage. In the manner we have described, this ferocious creature had kept his victim for more than two hours, beating him with the knotty hoops taken from lime-casks. His rage would move at intervals, like

gusts of wind during a gale. Thus, while his feelings raged highest, he would vent them upon the flesh of the poor pinioned wretch; then he would stop, rest his arm, and pace the ground from wall to wall, and as soon as his passion stormed, commence again and strike the blows with all his power, at the same time keeping the black boy standing with a bucket of water in his hand ready to pour upon the wretch whenever signs of fainting appeared. Several times, when the copious shower came over him, it filled his mouth, so that his cries resounded with a gurgling, death-like noise, that made every sensation chill to hear it. During this space of time, he inflicted more than three hundred blows. Our information is from the man who did his master's bidding—poured the water—and dared not say, "Good massa, spare poor Jacob." We visited the place about a month afterward, on a pretext of examining the basement of the building, and saw the unmistakable evidences of civilized torture yet remaining in the ground and upon the shavings that were scattered around.

"Captain, you must not judge the institution of slavery by what you saw there; that is only one of those isolated cases so injurious in themselves, but for which the general character of the institution should not be held answerable," said the colonel.

"A system so imperfect should be revised, lest innocent men be made to suffer its wrongs," said the Captain.

They continued their walk through several very pretty parts of the city, where fine flowering gardens and well-trimmed hedges were nicely laid out; these, however, were not the habitations of the "*old families*." They occupied parts of the city designated

by massive-looking old mansions, exhibiting an antiqueness and mixed architecture, with dilapidated court-yards and weather-stained walls, showing how steadfast was the work of decay.

The colonel pointed out the many military advantages of the city, which would be used against Uncle Sam if he meddled with South Carolina. He spoke of them ironically, for he was not possessed of the secession monomania. He had been a personal friend of Mr. Calhoun, and knew his abstractions. He knew Mr. McDuffie; Hamilton, (the transcendant, of South Carolina fame;) Butler, of good component parts—eloquent, but moved by fancied wrongs; Rhett, renouncer of that vulgar name of Smith, who hated man because he spoke, yet would not fight because he feared his God; and betwixt them, a host of worthies who made revenge a motto; and last, but not least, great Quattlebum, whose strength and spirit knows no bound, and brought the champion *Commander*, with his enthusiastic devotion, to lead unfaltering forlorn hopes. But he knew there was deception in the political dealings of this circle of great names.

Returning to the market, they took a social glass at Baker's, where the colonel took leave of the Captain; and the latter, intending to repair to his vessel, followed the course of the market almost to its lowest extreme. In one of the most public places of the market, the Captain's attention was attracted by a singular object of mechanism. It seemed so undefined in its application, that he was reminded of the old saying among sailors when they fall in with any indescribable thing at sea, that it was a "fidge-fadge, to pry the sun up with in cloudy weather." It was a large pedestal about six feet high, with a sort of

platform at the base for persons to stand upon, supplied with two heavy rings about eight inches apart. It was surmounted by an apex, containing an iron shackle long enough for a sloop-of-war's bent bower chain, and just beneath it was a nicely-turned moulding. About three feet from the ground, and twelve inches from the pedestal, were two pieces of timber one above the other, with a space of some ten inches between them, the upper one set about five inches nearest the pedestal, also containing two rings, and both supported by posts in the ground. Above the whole was a framework, with two projecting timbers supplied with rings, and standing about fourteen inches in a diagonal direction above the big ring in the apex of the shaft. It was altogether a curious instrument, but it designated the civilization of the age, upon the same principle that a certain voyager who, on landing in a distant country, discovered traces of civilization in the decaying remains of an old gallows.

He viewed the curious instrument for some time, and then turning to an old ragged negro, whose head and beard were whitened with the flour of age, said, "Well, old man, what do you call that?"

"Why, massa, him great t'ing dat—what big old massa judge send buckra-man to get whip, so color foke laugh when 'e ketch 'im on de back, ca' bim; an' massa wid de cock-up hat on 'e head put on big vip jus' so," said the old negro.

It was the whipping-post, where white men, for *small* thefts, were branded with ignominy and shame.

"Are you a slave, old man?" inquired the Captain.

The old man turned his head aside and pulled his ragged garments, as if shame had stung his feelings.

"Ha, good massa—old Simon know ye don'e belong here—give him piece of 'baccy," replied the hoary-headed veteran, evidently intending to evade the question. The Captain divided his "plug" with him, and gave him a quarter to get more, but not to buy whiskey. "Tank-e, massa, tank-e; he gone wid ole Simon long time."

"But you haven't answered my question; I asked you if you were a slave."

"Ah! massa, ye don'e know him how he ja, ah! ha! ha! I done gone now. Massa Pringle own 'im, once, but 'im so old now, nobody say I own 'im, an' ole Simon s'n't no massa what say I his fo' bacon. I don't woff nofin' nohow now, 'cos I ole. When Simon young—great time 'go—den massa say Simon his; woff touzan' dollars; den me do eve' ting fo' massa just so. I prime nigga den, massa; now I woff nosin', no corn and bacon 'cept what 'im git from Suke-e. She free; good massa make her free," said he.

"How old are you, old man?" inquired the Captain.

"Ah, Massa Stranger, ye got ole Simon da! If me know dat, den 'im know somefin' long time ago, what buckra-man don' larn. I con'try-born nigger, massa, but I know yonder Massa Pringle house fo' he built 'im." Just at this moment several pieces of cannon and other ordnance were being drawn past on long, low-wheeled drays. "Ah, massa, ye don'e know what 'em be," said the old negro, pointing to them. "Dem wa' Massa South Ca'line gwan to whip de 'Nited States wid. Massa Goberna' order 'em last year, an' 'e jus' come. Good massa gwan to fight fo' we wid 'em." The poor old man seemed

to take a great interest in the pieces of ordnance as they passed along, and to have imbibed all the pompous ideas of his master. The negroes about Charleston have a natural inclination for military tactics, and hundreds of ragged urchins, as well as old darkies, and mammies, may be seen following the fife and drum on parade days.

"Then I suppose you've a home anywhere, and a master nowhere, old man?" said the Captain, shaking him by the hand, as one who had worn out his slavery and be drowned in the winter of life.

CHAPTER XXII.

CAPTAIN'S RELEASE, AND MANUEL'S CLOSE CONFINEMENT.

THE Captain of the Janson, finding that no dependence was to be played upon the statements of the officials, after returning to his vessel, gave orders that Tommy should be sent to the jail every day with provisions for Manuel. The task was a desirable one for Tommy, and every day about ten o'clock he might be seen trudging to the jail with a haversack under his arm. There were five stewards confined in the cell, and for some days previous to this attention on the part of the Captain they had been reduced to the last stage of necessity. The quantity may be considered as meagre when divided among so many, but added to the little things brought in by Jane, and presents from several of the crew of the Janson, they got along. Still it was a depend-

ence upon chance and charity, which any casual circumstance might affect. For several days they made themselves as contented and happy as the circumstances would admit; and always being anxious to enjoy the privilege of their time in the yard, they would leave their cell together, and mix with the prisoners of their own color under the stoop.

After a few days, they found that their cell had been entered, and nearly all their provisions stolen. Not contented with this, the act was repeated for several days, and all the means they provided to detect the thief proved fruitless. The jailer made several searches through their remonstrances, without effecting any thing. They kept their provisions in a little box, which they locked with a padlock; and as Daley had the keys of the cell, they had no method of locking the door. At length Manuel seen this also proved effectual. One morning Tommy came running into the jail with a satchel over his back. "I guess Manuel won't feel downhearted when he sees this—do you think he will?" said the little fellow, as he put the satchel upon the floor and looked up at the jailer. "An' I've got some cigars, too, the Captain sent, in my pocket," said he, nodding his head; and putting his hand into a side-pocket, pulled out one and handed it to the jailer.

"Ah! you are a good little fellow—worth a dozen of our boys. Sit down and rest yourself," said the jailer, and called a monstrous negro wench to bring a chair and take the satchel up to the cell. Then turning to the back-door, he called Manuel; and, as if conscious of Tommy's arrival, the rest of the stewards followed. He sprang from the chair as soon as he saw Manuel, and running toward him, com-

manuel telling him what he had got in the satchel, and at the same time pulled out a handful of segars that the Captain had sent for himself. Manuel led the way up-stairs, followed by Tommy and the train of stewards. Tommy opened the satchel, while Manuel laid the contents, one by one, on the table which necessity had found in the head of a barrel.

"Now eat, my friends, eat just as much as you want, and then I'll catch the thief that breaks my lock and steals my meat. I catch him," said Manuel. After they had all done, he locked the balance up in his box, and sent everybody down-stairs into the yard, first covering himself with two mattrasses, and giving orders to Copeland to lock the door after him. Every thing was ready to move at the word. In this position he remained for nearly half an hour. At length he heard a footstep approach the door, and then the lock clink. The door opened slowly, and the veritable Mr. Daley limped in, and taking a key from his pocket, unlocked the little box, and filling his tin pan, locked it, and was walking off as independent as a wood-sawyer, making a slight whistle to a watch that was stationed at the end of the passage. "It's you, is it?" said Manuel, suddenly springing up and giving him a blow on the side of the head that sent him and the contents of the pan into a promiscuous pile on the floor. Daley gathered himself up and made an attempt to reach the door, but Manuel, fearing what might be the consequence if the other prisoners came to his assistance, shut the door before him and fastened it on the inside.

"Bad luck to yer infernal eyes, will ye strike a white man, ye nager ye, in a country like this same?" said Daley, as he was gathering himself up. This

incensed Manuel's feelings still more. To have insult added to injury, and a worthless drunkard and thief abuse him, was more than he could bear. He commenced according to a sailor's rule of science, and gave Daley a systematic thrashing, which, although against the rules of the jail, was declared by several of the prisoners to be no more than he had long deserved. As may have been expected, Daley cried lustily for help, adding the very convenient item of murder, to make his case more alarming. Several persons had crowded around the door, but none could gain admittance. The jailer had no sooner reached the door, than (most unfortunately for Manuel) he was called back to the outer door, to admit Mr. Grimshaw, who had just rung the bell. The moment he entered, Daley's noise was silenced, and reached his cage before he had gained the outside gate. He rushed up-stairs, followed by the jailer, and demanded entrance at the cell door, swearing at the top of his voice that he would break it in with an axe if the command was not instantly obeyed.

The door opened, and Manuel stood with his left hand extended at Daley. "Come in, gentlemen, I catch him, one rascal, what steal my provision every day, and I punish him, what he remember when I leave."

Daley stood trembling against the wall, bearing the marks of serious injury upon his face and eyes. "At it again, Daley? Ah! I thought you had left off them tricks!" said the jailer.

Daley began to tell a three-cornered story, and to give as many possible excuses, with equally as many characteristic bulls in them. "I don't want to hear your story, Daley," said Mr. Grimshaw. "But, Mr.

Jailer, I command you to lock that man up in the third story," pointing to Manuel. "I don't care what the circumstances are. He's given us more trouble than he's worth. He tried to pass himself off for a white man, but he couldn't come that, and now he's had the impudence to strike a white man; lock him up! lock him up!! and keep him locked up until further orders from me. I'll teach him a lesson that he never learn before he came to South Carolina; and then let Consul Mathew sweat over him, and raise another fuss, if he can."

"If he's guilty of violating the rules of the jail, Daley is guilty of misdemeanour, and the thieving has been aggravatingly continued. If we put one, we must put both up," said the jailer.

"Just obey my orders, Mr. Jailer. I will reprimand Daley to-morrow. I shall just go to the extent of the law with that feller," said Grimshaw peremptorily.

"You may lock me up in a dungeon, do with me as you will, if the power is yours; but my feelings are my own, and you cannot crush them. I look to my consul, and the country that has protected me around the world, and can protect me still," said Manuel, resigning himself to the jailer, whose intentions he knew to be good.

Poor little Tommy stood begging and crying for his friend and companion, for he heard Mr. Grimshaw give an imperative order to the jailer not to allow visitors into his cell. "Never mind, Tommy, we shall soon meet again, and sail companions for the old owners. Don't cry; the jailer will let you see me to-morrow," said Manuel.

"No, I can't do that; you heard my orders, I

must obey them. I should like to do it, but it's out of my power," returned the jailer, awaiting with a bunch of keys in his hand.

Manuel turned to the little fellow, and kissing him as he would an affectionate child, bade him adieu, and ascended the steps leading to the third story (Mount Rascal) in advance of the jailer, to be confined in a dark, unhealthy cell, there to await the caprice of one man. To describe this miserable hole would be a task too harrowing to our feelings. We pass it for those who will come after us. He little thought, when he shook the hand of his little companion, that it was the last time he should meet him for many months, and then only to take a last parting look, under the most painful circumstances. But such is the course of life!

Copeland had received notice to hold himself in readiness, as his vessel would be ready for sea the next morning. He was not long in getting his few things in order, and when morning came he was on hand, prepared to bound from the iron confines of the Charleston jail, like a stag from a thicket. As he bade good-by to his fellow-prisoners in the morning, he said, "This is my last imprisonment in Charleston. I have been imprisoned in Savannah, but there I had plenty to eat, comfortable apartments, and every thing I asked for, except my liberty. Never, so long as I sail the water, shall I ship for such a port as this again." He requested to see Manuel, but being refused, upon the restraint of orders, he left the jail. It was contrary to law; and thus in pursuing his vocation within the limits of South-Carolina, his owners were made to pay the following sum, for which

neither they nor the man who suffered the imprisonment received any compensation.

"Contrary to Law."

Schooner "Oscar Jones," Captain Kelly, } For William H. Copeland, Colored Seaman.

To Sheriff of Charleston District.

1852,	To Arrest, $2; Registry, $2,	$4.00
	" Recog. $1.31; Constable, $1,	2.31
	" Commitment and Discharge,	1.00
	" 15 Days' Jail Maintenance of Wm. H. Copeland, at 30 cts. per day,	4.50
	Received payment,	$11.01

J. D——,

Per Charles E. Kanapeaux, Clerk.

God save the sovereignty of South Carolina, and let her mercy and hospitality be known on earth!

CHAPTER XXIII.

IMPRISONMENT OF JOHN PAUL, AND JOHN BAPTISTE FANELLIE.

In order to complete the four characters, as we designed in the outset, we must here introduce the persons whose names fill the caption. The time of their imprisonment was some two months later than Manuel's release; but we introduce them here for the purpose of furnishing a clear understanding of the scenes connected with Manuel's release.

John Paul was a fine-looking French negro, very dark, with well-developed features, and very intelligent, —what would be called in South Carolina, "a very prime feller." He was steward on board of the French bark Senegal, Captain ——. He spoke excellent French and Spanish, and read Latin very well,—was a Catholic, and paid particular respect to devotional exercises,—but unfortunately he could not speak or understand a word of English. In all our observation of different characters of colored men, we do not remember to have seen one whose pleasant manner, intelligence, and civility, attracted more general attention. But he could not comprehend the meaning of the law imprisoning a peaceable man without crime, and why the authorities should fear him when he could not speak their language. He wanted to see the city—what sort of people were in it—if they bore any analogy to their good and forefathers in France; and whether they had inherited the same capricious feelings as the descendants of the

same generation on the other side of the water. There could be no harm in that; and although he knew something of French society, he was ignorant of Carolina's peculiar institutions, her politics, and her fears of abolition, as a "Georgia cracker" would be of Greek. Like his predecessors in confinement, he fell into the hands of the veritable Dunn, without the assistance of his friend Duse, as he called him; but had it not been for the timely appearance of a clerk in the French consul's office, who explained the nature of the arrest, in his native tongue, Mr. Dunn would have found some trouble in making the arrest. Already had the officers and crew of the bark gathered around him, making grimaces, and gibbering away like a flock of blackbirds surrounding a hawk, and just ready to pounce. "Don't I'se be tellin' yees what I wants wid 'im, and the divil a bit ye'll understand me. Why don't yees spake so a body can understand what yees be blatherin' about. Sure, here's the paper, ah' yees won't read the English of it. The divil o' such a fix I was ever in before wid yer John o' crapue's an' yer chatter. Ye say we—we—we; sure it's but one I wants. Ah! whist now, captain, and don't ye be makin' a bother over it. Shure, did ye niver hear o' South Carolina in the wide world? An' ye bees travellin' all over it, and herself's such a great State, wid so many great gintlemen in it," said Dunn, talking his green-island Greek to the Frenchman.

* A sort of semi-civilized native, wearing a peculiar homespun dress; with a nasal twang strongly resembling many of the Yorkshire phrases. They are generally found located in the poorer parishes and districts, where their primitive-looking cabins

"*We, we! mon Dieu, ah!*" said the Frenchman. "Ah, shure there we are again. What would I be doin' wid de 'hole o' [illegible]? It's the nager I want. Don't ye know that South Carolina don't allow the likes o'

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are easily designated from that of the more enterprising agricultural class. But few of them can read or write,—and preferring the coarsest mode of life, their habits are extremely dissolute. Now and then one may be found owning a negro or two,—but a negro would rather be sold to the torments of hell, or a Louisiana sugar-planter, than to a Georgia cracker. You will see them approaching the city on market-days, with their travelling-cart, which is a curiosity in itself. It is a two-wheeled vehicle of the most primitive description, with long, rough poles for shafts or thills. Sometimes it is covered with a blanket, and sometimes with a white rag, under which are a few things for market, and the good wife, with sometimes one or two wee-yans; for the liege lord never fails to bring his wife to market, that she may see the things of the city. The dejected-looking frame of some scrub-breed horse or a half-starved mule is tied (for we can't call it harnessed) between the thills, with a few pieces of rope and withes; and, provided with a piece of wool-tanned sheep-skin, the lord of the family, with peculiar dress, a drab slouched hat over his eyes, and a big whip in his hand, mounts on the back of the poor animal, and placing his feet upon the thills to keep them down, tortures it through a heavy, sandy road. The horses are loaded so much beyond their strength, that they will stop to blow, every ten or fifteen minutes, while the man will sit upon their backs with perfect unconcern. Remonstrate with them in regard to the sufficient draught added to the insupportable weight upon their backs, and they will immediately commence demonstrating how *he* can draw easier when there is an immense weight upon his back. The husband generally exchanges his things for whiskey, rice, and tobacco, while the wife buys calico and knick-knacks. Sometimes they get "a right smart chance o' things" together, and have a "party at home," which means a *blow-out* among themselves. Sometimes they have a shucking, which is a great affair, even among the little farmers in Upper Georgia, where, only, corn-shuckings are kept up with all the spice

him to be comin' ashore and playing the divil wid her slaves," continued Dunn, stretching himself up on his lame leg.

The clerk stepped up at this moment. "It's 'im-self'll be telling yes all about it, for yer like a parcel of geese makin' a fuss about a goslin." Mr. Dunn had got his Corkonian blood up; and although the matter was explained, he saw the means at hand, and fixed his feelings for a stiff compensation. The clerk, after explaining to the captain, turned to John Paul and addressed him. As soon as he was done, John commenced to pack up his dunnage and get money from the captain, as if he was bound on an Arctic Expedition. Dunn's eyes glistened as he saw the money passing into Paul's hand; but he was not to be troubled with the dunnage, and after hurrying him a few times, marched him off. He went through the regular system of grog-shop sponging; but his suavity and willingness to acquiesce in all Mr. Dunn's demands, saved him some rough usage. There was this difference between John Paul and Manuel, that the former, not understanding the English language, mistook Dunn's deception for friendship, and moved by that extreme French politeness and warmth of

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of old custom, and invitations are extended to those at a distance of ten or fifteen miles, who repay the compliment with their presence, and join in the revelry. There are two classes of the cracker in Georgia, according to our observation, differing somewhat in their dialect, but not in their habits. One is the upper, and the other the low country, or rather what some call the "*co-u-n-try-b-o-r-n*" cracker. The up-country cracker gives more attention to farming, inhabits what is known as the Cherokee country and its vicinity, and is designated by the sobriquet of "*wire-grass men.*"

feeling, which he thought doing the gentleman par excellence; while the latter, with a quicker perception of right and wrong, and understanding our language, saw the motive and disdained its nefarious object. For when Paul arrived at the jail, he was minus a five-dollar gold-piece, which his very amiable official companion took particular care of, lest something should befall it. Poor John Paul! He was as harmless as South Carolina's secession and chivalry,—two of the most harmless things in the world, not excepting Congressional duelling.

As soon as he entered the jail and found that the jailer could speak French, he broke out in a perfect tornado of enthusiasm. "*Je suis charmé de votre connaissance avec un si aimable compagnon*," said he, and continued in a strain so swift and unabated that it would have been impossible for an Englishman to have traced the inflections.

The jailer called Daley, and telling him to take his blanket, the State's allotment, ordered him shown to his cell. Daley took the blanket under his arm and the keys in his hand, and Paul soon followed him upstairs to be introduced to his cell. "There, that's the place for yees. We takes the shine off all ye dandy niggers whin we gets ye here. Do ye see the pair of eyes in the head o' me?" said Daley, pointing to his blackened eyes; "an' he that done that same is in the divil's own place above. Now, if ye have over a drap of whinkey, don't be keepin' it shy, an' it'll be tellin' ye a good many favors."

"*Ah! mon-Dieu! Cela fait dresser les cheveux à la tête*," said Paul, shrugging his shoulders.

"Bad luck to the word of that I'd be understandin' at all, at all. Can't ye spake so a body 'd understand what ye'd mane?"——

"*C'est ma grande consolation d'aujourd'hui. Les Etats-Unis est une modèle de perfection républicaine,*" said he, taking the blanket from Daley and throwing it upon the floor. He was but a poor companion for his fellow-prisoners, being deprived of the means to exercise his social qualities. He went through the same course of suffering that Manuel did; but, whether from inclination or necessity, bore it with more Christian fortitude, chanting vespers every morning, and reading the Latin service every evening. The lesson which Manuel taught Daley proved of great service to Paul, who gave Daley the jail-ration which it was impossible for him to eat, and was saved from his pilfering propensities. Thus, after John Paul had suffered thirty-five days' imprisonment, in *mute* confinement, to satisfy the majesty of South Carolina, he was released upon the following conditions, and taken to his vessel at early daylight, lest he should see the city or leave something to contaminate the slaves.

"*Contrary to law.*"

State *vs.* "Contrary to law."

French bark "Senegal," } For John Paul,
Capt. ——. } Colored Seaman.

To Sheriff Charleston Dist.

July 18, 1852.	To Arrest, $2; Registry, $2,	$4.00
" "	Recog. $1.31; Constable, $1,	2.31
" "	Commitment and discharge,	1.00
" "	35 Days' Maintenace of John Paul, at 30 cents per day,	10.50
	Recd. payment,	$17.81

J. D——, S. C. D.

Per Chas. E. Kanapeaux, Clerk.

A very nice item of disbursements to present to the owners—a premium paid for the advanced civilization of South Carolina!

We have merely noticed the imprisonment of John Paul, our limits excluding the details. We must now turn to a little, pert, saucy French boy, eleven years old, who spoke nothing but Creole French, and that as rotten as we ever heard lisped. The French bark Nouvelle Amelie, Gilliet, master, from Rouen, arrived in Charleston on the twenty-ninth of July. The captain was a fine specimen of a French gentleman. He stood upon the quarter-deck as she was being "breasted-in" to the wharf, giving orders to his men, while the little child stood at the galley looking at the people upon the wharf, making grimaces and pointing one of the crew to several things that attracted his attention. Presently the vessel hauled alongside of the dock, and Dusenberry, with his companion Duna, who had been watching all the movements of the vessel from a hiding-place on the wharf, sprang out and boarded her ere she had touched the piles.

The "nigger," seeing Dusenberry approach him, waited until he saw his hand extended, and then, as if to save himself from impending danger, ran aft and into the cabin, screaming at the top of his voice. The crew began to run and move up into their quarters. The issue was an important one, and rested between South Carolina and the little "nigger." Dusenberry attempted to descend into the cabin. "Vat you vant wid my John, my Baptiste? No, you no do dat, 'e my cabin; never allow stranger go down 'im," said the captain, placing himself in the companion-way, while the little terrified nigger peeped above

the coaming, and rolled his large eyes, the white glowing in contrast, from behind the captain's legs. In this tempting position the little darkie, knowing he was protected by the captain and crew, would taunt the representative of the State with his bad French. Dunn stood some distance behind Dusenberry, upon the deck, and the mission seemed to be such a mystery to both captain and crew, that their presence aroused a feeling of curiosity as well as anxiety. Several of the sailors gathered around him, and made antic grimaces, pointing their fingers at him and swearing, so that Dunn began to be alarmed by the incomprehensible earnestness of their gibberish, turned pale, and retreated several steps, to the infinite amusement of those upon the wharf.

"Vat 'e do, ah, you vant 'im? Vat you do vid 'im ven zu gets him, ah? *Cette affaire délicate demande,*" said one of the number, who was honored with the title of mate, and who, with a terrific black moustache and beard, had the power of contorting his face into the most repugnant grimaces. And, at the moment, he drew his sheath-knife and made a pretended plunge at Dunn's breast, causing him to send forth a pitiful yell, and retreat to the wharf with quicker movements than he ever thought himself capable of.

"*Il n'y a pas grand mal à cela,*" said the Frenchman, laughing at Dunn as he stood upon the capsill of the wharf.

"Bad luck to ye, a pretty mess a murderous Frinchmin that ye are. Do yees be thinkin' ye'd play that trick in South Carolina? Ye'll get the like o' that taken out o' ye whin yer before his honor in the mornin'," said Dunn.

Dusenberry had stood parleying with the captain at the companion-door, endeavoring to make the latter understand that it was not a case which required the presence of the silver oar. There is a prevailing opinion among sailors, that no suit in Admiralty can be commenced, or seaman arrested while board, without the presence of the silver oar. and thus acting upon this impression, the captain and officers of the Nouvelle Amelie contended for what they considered a right. The mate and crew drew closer and closer toward Dusenberry, until he became infected with the prevailing alarm. "Captain, I demand your protection from these men, in the name of the State of South Carolina," said he.

"Who he? De State Souf Ca'lina, vat I know 'bout him, ah! Bring de silver oar when come take my man. *Il y a de la malhommé, teté dans sou procés,*" said Captain Gilliet, turning to his mate.

"Avaunt! avaunt!" said the big man with the large whiskers, and they all made a rush at Dusenberry, and drove him over the rail and back to the wharf, where he demanded the assistance of those anxious spectators, for and in the name of the State. It was a right good *vaudeville comique*, played dialogue and pantomime. The point of the p which, with a little arrangement, might have made an excellent production, consisted of a misunderstanding between an Irishman and a Frenchman about South Carolina, and a law so peculiar that no stranger could comprehend its meaning at first; and as neither could understand the language of the other, the more they explained the more confounded the object became, until, from *piquant comique*, the scene was worked into the appearance of a tragedy. One re-

presented his ship, and to him his ship was his nation; the other represented South Carolina, and to him South Carolina was the United States; and the question was, which had the best right to the little darkie.

The spectators on the wharf were not inclined to move, either not wishing to meddle themselves with South Carolina's affairs—wanting larger game to show their bravery—or some more respectable officer to act in command. The little darkie, seeing Dusenberry driven to the wharf, ran to the gangway, and protruding his head over the rail, worked his black phiz into a dozen pert expressions, showing his ivory, rolling the white of his eyes, and crooking his finger upon his nose in aggravating contempt.

"Shure, we'll turn the guard out and take ye an' yer ship, anyhow. Why don't yees give the nager up dasently, an' don't be botherin'. An' isn't it the law of South Carolina, be dad; an' be the mortis, ye'd be gettin' no small dale of a pinalty for the same yer doin'," said Dunn.

A gentleman, who had been a silent looker-on, thinking it no more than proper to proffer his mediation, perceiving where the difficulty lay, stepped on board and introducing himself to the captain, addressed him in French, and explained the nature of the proceeding. The captain shook his head for some time, and shrugged his shoulders. "*La police y est bien déplacée*," said he, with an air of politeness; and speaking to his mate, that officer again spoke to the men, and Dusenberry was told by the gentleman that he could come on board. Without further ceremony, he mounted the rail and made a second attempt at the young urchin, who screamed and ran into the cook's

galley amid the applause of the seamen, who made all sorts of shouts inciting him to run, crying out, "Run, Baptiste! run, Baptiste!" In this manner the little darkie kept the officer at bay for more than fifteen minutes, passing out of one door as the officer entered the other, to the infinite delight of the crew. At length his patience became wearied, and as he was about to call Dunn to his assistance, the captain came up, and calling the child to him—for such he was—delivered him up, the little fellow roaring at the top of his voice as the big officer carried him over the rail under his arm. This ended the *vaudeville comique* on board of the French bark Nouvelle Amelie, Captain Gilliet.

The dignity of the State was triumphant, and the diminutive nigger was borne off under the arm of its representative. What a beautiful theme for the painter's imagination! And how mutely sublime would have been the picture if the pencil of a Hogarth could have touched it. The majesty of South Carolina carrying a child into captivity!

After carrying John Baptiste about halfway up the wharf, they put him down, and made him "*trot it*" until they reached the Dutch grog-shop we have described in the scene with Manuel. Here they halted to take a "stiff nery," while Baptiste was ordered to sit down upon a bench, Dunn taking him by the collar and giving him a hearty shake, which made the lad bellow right lustily. "Shut up, yo whelp of a nigger, or yo'll get a doz for yeer tricks beyant in the ship," said Dunn; and after remaining nearly an hour, arguing politics and drinking toddies, Mr. Dunn got very amiably fuddled, and was for having a *good-natured* quarrel with every customer that

came into the shop. He laboured under a spirit-inspired opinion that they must treat or fight; and accordingly would attempt to reduce his opinions to practical demonstrations. At length the Dutchman made a courteous remonstrance, but no sooner had he done it, than Dunn drew his hickory stick across the Dutchman's head, and levelled him upon the floor. The Dutchman was a double-fisted fellow, and springing up almost instantly, returned the compliment. Dusenberry was more sober, and stepped in to make a reconciliation; but before he had time to exert himself, the Dutchman running behind the counter, Dunn aimed another blow at him, which glanced from his arm and swept a tin drench, with a number of tumblers on it, into a smash upon the floor. This was the signal for a general melée, and it began in right earnest between the Dutch and the Irish,—for the Dutchman called the assistance of several kinsmen who were in the front store, and Dunn, with the assistance of Dusenberry, mustered recruits from among a number of his cronies, who were standing at a corner on the opposite side of the street. Both came to the rescue, but the O'Nales and Finnegans outnumbering the Dutch, made a Donnybrook onset, disarming and routing their adversaries, and sapsizing barrels, boxes, kegs, decanters, and baskets of onions, into one general chaos,—taking possession of the Dutchman's calabash, and proclaiming their victory with triumphant shouts.

They had handcuffed the boy Baptiste as soon as they entered the store, and in the midst of the conflict he escaped without being observed, and ran for his vessel, handcuffed, and crying at the top of his voice. He reached the Nouvelle Amelie, to the

consummate surprise of the officers and crew, and the alarm of pedestrians as he passed along the street. "Mon Dieu!" said the mate, and taking the little fellow to the windlass-bits, succeeded in severing the handcuffs with a cold-chisel, and sent him down into the forecastle to secrete himself.

When Dunn's wild Irish had subsided, Dusenberry began to reason with him upon the nature of the affair, and the matter was reconciled upon the *obligations* that had previously existed, and a promise to report no violations of the ordinances during a specified time. Looking around, Dunn exclaimed, "Bad manners till ye, Swizer, what s' ye done with the little nager? Where did ye put him?—Be dad, Duse, he's gone beyant!" An ineffectual search was made among barrels and boxes, and up the old chimney. "Did ye see him?" inquired Dunn, of a yellow man that had been watching the affray at the door, while Dusenberry continued to poke with his stick among the boxes and barrels.

"Why, massa, I sees him when he lef de doo, but I no watch him 'till, 'e done gone," said the man.

Dunn was despatched to the vessel in search, but every thing there was serious wonderment, and carried out with such French *naïveté*, that his suspicions were disarmed, and he returned with perfect confidence that he was not *there*. A search was now made in all the negro-houses in the neighborhood; but kicks, cuts, and other abuses failed to elicit any information of his whereabouts. At length Dunn began to feel the deadening effects of the liquor, and was so muddled that he could not stand up; then, taking possession of a bed in one of the houses, he stretched himself upon it in superlative contempt of

every thing official, and almost simultaneously fell into a profound sleep. In this manner he received the attention of the poor colored woman whose bed he occupied, and whom he had abused in searching for the boy. In this predicament, Dusenberry continued to search alone, and kept it up until sundown, when he was constrained to report the case to the sheriff, who suspended Mr. Dunn for a *few* days. The matter rested until the next morning, when the case of the little saucy nigger *vs.* South Carolina was renewed with fresh vigor. Then Mr. Grimshaw, accompanied by Dusenberry, proceeded to the barque, and there saw the boy busily engaged in the galley. Mr. Grimshaw went on board, followed by *Duse*, and approaching the cabin door, met the captain ascending the stairs. "Captain, I want that nigger boy of yourn, and you may just as well give him up peaceably," said he.

"Yes, monsieur,—but you no treat 'im like child wen you get 'im," said the captain. Retiring to the cabin, and bringing back the broken manacles in his hand, he held them up to Mr. Grimshaw, "You put such dem thing on child like 'im, in South Carolina, ah? What you tink 'im be, young nigger, ox, horse, bull, ah! what? Now you take'e him! treat him like man, den we no 'struct to laws wat South Carolina got," continued he.

Mr. Grimshaw thanked the captain, but made no reply about the manacles; taking them in his hand, and handing the boy over into the charge of Dusenberry. In a few minutes he was ushered into the sheriff's office, and the important points of his dimensions and features noted in accordance with the law. We are not advised whether the pert character-

istics of his nature were emblazoned,—if they were, the record would describe a singular specimen of a frightened French darkie, more amusing than judicial. But John Baptiste Pamerlie passed the ordeal, muttering some rotten Creole, which none of the officials could understand, and was marched off to the jail, where the jailer acted as his interpreter. Being so small, he was allowed more latitude to *wara and haul* than the others, while his peculiar *bon point* and pert chatter afforded a fund of amusement for the prisoners, who made him a particular *butt*, and kept up an incessant teasing to hear him jabber. The second day of his imprisonment he received a loaf of bread in the morning, and a pint of greasy water, misnamed soup. That was the allowance when they *did not take meat*. He ran downstairs with the pan in hand, raising an amusing fuss, pointing at it, and spitting out his Creole to the jailer. He was disputing the question of its being soup, and his independent manner had attracted a number of the prisoners. Just at the moment, the prison dog came fondling against his legs, and to decide the question, quick as thought, he set the pan before him; and as if acting upon an instinctive knowledge of the point at issue, the dog put his nose to it, gave a significant scent, shook his head and walked off, to the infinite delight of the prisoners, who sent forth a shout of acclamation. Baptiste left his soup, and got a prisoner, who could speak Creole, to send for his captain, who came on the next morning and made arrangements to relieve his condition from the ship's stores. The following day he whipped one of the jailer's boys in a fair fight; and on the next he killed a duck, and on the fourth he cut a

white prisoner. Transgressing the rules of the jail in rejecting his soup—violating the laws of South Carolina making it a heinous offence for a negro to strike or insult a white person—committing murder on a duck—endeavoring to get up a fandango among the yard niggers, and trying the qualities of cold steel, in a prisoner's hand, thus exhibiting all the versatility of a Frenchman's genius with a youthful *sang-froid*, he was considered decidedly dangerous, and locked up for formal reform. Here he remained until the seventeenth of August, when it was announced that the good barque Nouvelle Amelie, Captain Gilliet, was ready for sea, and he was forthwith led to the wharf between two officers, and ordered to be transferred beyond the limits of the State, the Captain paying the following nice little bill of costs.

"*Contrary to Law.*"

"French Barque Nouvelle Amelie," Captain Gilliet, From Rouen,	For John Baptiste Pamerlie, Colored Seaman.	
1852.	To Sheriff of Charleston District.	
August 26th,	To Arrest, $2; Registry, $2,	$4.00
" "	Recog. 1.31; Constable, $1,	2.31
" "	Commitment and Discharge,	1.00
" "	20 days' Jail Maintenance of John Baptiste Pamerlie, at 30 cts. per day,	$6.00
	Received payment,	13.31

J. D——, S. C. D.
Per Charles E. Kanapeaux, Clerk.

Thus ended the scene. The little darkie might

have said when he was in [illegible], *Je meurs de faim, et l'on me m'apporte rien;*" and when he left, "*Il est faufile ceco les chevaliers d'industrie.*"

CHAPTER XXIV.

THE LANSON CONDEMNED.

We must now return to Manuel. He was in close confinement, through Mr. Grimshaw's orders. Tommy continued to bring him food from day to day, but was not allowed to see him. The mate and several of the crew were also refused admittance to him. This was carrying power to an unnecessary limit, and inflicting a wanton punishment without proper cause, at the same time exhibiting a flagrant disrespect for personal feelings. Tommy did not report the affair to the Captain, lest it should be misconstrued, and worse punishment be inflicted; but when the men were refused, they naturally mistrusted something, and made inquiries of the jailer, who readily gave them all the information in his power concerning the affair, and his orders. This they reported to the Captain, who immediately repaired to the consul's office, where he found Mr. Mathew reading a note which he had just received from Manuel. It stated his grievances in a clear and distinct manner, and begged the protection of that government under whose flag he sailed, but said nothing about his provisions. The consul, accompanied by the Captain, proceeded to the sheriff's office, but could get no satisfaction. "I never consider circumstances

when prisoners violate the rules of the jail,—he must await my orders! but I shall keep him closely confined for two weeks, at least," said Mr. Grimshaw.

This incensed the consul still more, for he saw the manner in which a clique of officials were determined to show their arbitrary power. It was impossible for him to remain indifferent to this matter, affecting, as it did, the life and liberty of his fellow-countryman. He could invoke no sympathy for the man, and the extent of punishment to which he had been subjected was evidently excited by vindictive feelings. He applied for a writ of *habeas corpus*,—but mark the result.

The Captain proceeded to the jail, and demanded to see his steward; the jailer hesitating at first, at length granted his permission. He found Manuel locked up in a little, unwholesome cell, with scarcely a glimmer of light to mark the distinction of day and night; and so pale and emaciated, that had he met him in the street he should scarcely have recognised him. "Gracious God! What crime could have brought such an excess of punishment upon you?" inquired the Captain.

Manuel told him the whole story; and, added to that, the things which had been sent to him during the seven days he had been confined in that manner, had seldom reached him. He had lost his good friend Jane, and the many kind acts which she was wont to bestow upon him, and had been compelled to live upon bread and water nearly the whole time, suffering the most intense hunger. Upon inquiry, it was ascertained that the few things sent to make him comfortable had been intrusted to Daley to deliver, who appropriated nearly the whole of them to his

own use, as a sort of retaliatory measure for the castigation he received from Manuel. He had not failed to carry him his pan of soup at twelve o'clock every day, but made the "*choice bits*" serve his own digestion. The jailer felt the pain of the neglect, and promised to arrange a safer process of forwarding his things by attending to it himself, which he did with all the attention in his power, when Manuel's condition became more tolerable. The Captain told Manuel how his affairs stood—that he should probably have to leave him in charge of the consul, but to keep up good spirits; that he would leave him plenty of means, and as soon as his release was effected, to make the best of his way to Scotland and join the old owners. And thus he left him, with a heavy heart, for Manuel did read in his countenance what he did not speak.

The Jamson had been discharged, a survey held upon the cargo, protest extended, and the whole sold for the benefit of whom it might concern. Necessary surveys were likewise held upon the hull, and finding it so old and strained as to be unworthy of repair, it was condemned and sold for the benefit of the underwriters. Thus the register "*de novo*" was given up to the consul, the men discharged, and paid off according to the act of William IV., which provides that each man shall receive a stipend to carry him to the port in Great Britain from which he shipped, or the consul to provide passage for him, according to his inclination, to proceed to a point where the voyage would be completed. The consul adopted the best means in his power to make them all comfortable and satisfied with their discharge. Their several register-tickets were given up to them, and one by

one left for his place of destination; Tommy and the second mate only preferring to remain and seek some new voyage. The old chief mate seemed to congratulate himself in the condemnation of the unlucky Janson. He shipped on board an English ship, laden with cotton and naval stores, and just ready for sea. When he came on board to take a farewell of the Captain, he stood upon deck, and looking up at the dismantled spars, said, "Skipper, a shadow may save a body after all. I've always had a presentment that this unlucky old thing would serve us a trick. I says to meself that night in the Gulf, 'Well, old craft, yer goin' to turn yer old ribs into a coffin, at last, but I'll praise the bridge that carries me safe over, because I've an affection for the old thing after all, and can't part without saying God bless her, for it's an honest death to die in debt to the underwriters. I hope her old bones will rest in peace on terra-firma. Good-by, Captain,—remember me to Manuel; and let us forget our troubles in Charleston by keeping away from it."

CHAPTER XXV.

GEORGE THE SECESSIONIST, AND HIS FATHER'S SHIPS.

As we have said, the second mate and little Tommy remained to seek new voyages. Such was the fact with the second mate; but Tommy had contracted a violent cold on the night he was locked up in the guard-house, and had been a subject for the medicine-chest for some time; and this, with his ardent attachment for Manuel, and hopes to join him again as a sailing companion, was the chief inducement for his remaining. The Captain gave them accommodations in the cabin so long as he had possession of the ship, which afforded the means of saving their money, of which Tommy had much need; for notwithstanding he received a nice present from the consul, and another from the Captain, which, added to the few dollars that were coming to him for wages, made him feel purse-proud, though it was far from being adequate to sustain him any length of time, or to protect him against any sudden adversity.

The Captain had not seen little George, the secessionist, since his assurance that he would make every thing right with Mr. Grimshaw, and have Manuel out in less than twenty-four hours. It was now the fourteenth of April, and the signs of his getting out were not so good as they were on the first day he was committed, for the vessel being condemned, if the law was carried to the strictest literal construction, Manuel

would be tied up among the human things that are articles of merchandise in South Carolina. He was passing from the wharf to the consul's office about ten o'clock in the morning, when he was suddenly surprised in the street by little George, who shook his hand as if he had been an old friend just returned after a long absence. He made all the apologies in the world for being called away suddenly, and consequently, unable to render that attention to his business which his feelings had prompted. Like all secessionists, George was very fiery and transitory in his feelings. He expressed unmeasurable surprise when the Captain told him the condition of his man in the old jail. "You don't say that men are restricted like that in Charleston? Well, now, I never was in that jail, but it's unsuited to the hospitality of our society," said he.

"Your prison groans with abuses, and yet your people never hear them," replied the Captain.

George seemed anxious to change the subject, and commenced giving the Captain a description of his journey to the plantation, his hunting and fishing, his enjoyments, and the fat, saucy, slick niggers, the fine corn and bacon they had, and what they said about massa, ending with an endless encomium of the "old man's" old whiskey, and how he ripened it to give it smoothness and flavor. His description of the plantation and the niggers was truly wonderful, tantalizing the Captain's imagination with the beauties of a growing principality in itself. "We have just got a new vessel added to our ships, and she sails for the Pedee this afternoon. We got the right stripe of a captain, but we have made him adopt conditions to be true to the secession party. As soon as

I get another man, we'll despatch her in grand style, and no mistake."

The Captain thought of his second mate, and suggested him at once. "Just the chap. My old man would like him, I know," said George, and they returned directly to the Janson, where they found the second mate lashing his dunnage. The proposition was made and readily accepted. Again the Captain parted with little George, leaving him to take the mate to his father's office, while he pursued his business at the consul's.

George led the mate into the office. "Here, father, here's a man to go in our vessel," said he. The old man looked upon him with a serene importance, as if he was fettered with his own greatness.

"My shipping interests are becoming very extensive, my man; I own the whole of four schooners, and a share in the greatest steamship afloat—I mean screw-ship, the *South Carolina*—you've heard of her, I suppose?" said the old man.

Jack stood up with his hat in his hand, thinking over what he meant by big interests, and "reckoning he hadn't seen the establishment of them ship-owners about Prince's Dock, what owned more ships apiece than there were days in the month."

"Now, my man," continued the old man, "I'm mighty strict about my discipline, for I want every man to do his duty for the interests of the owners. But how many dollars do you want a month, my man?"

"Nothing less than four pounds starling; that's twenty dollars your currency, if I reckon right," said Jack, giving his hat a twirl upon the floor.

"Wh-e-w! you belong to the independent sailors.

You'll come down from that afore you get a ship in this port. Why, I can get a good, prime nigger feller sailor for eight dollars a month and his feed."

Jack concluded not to sail in any of the old man's *big ships*, and said, "Yes, I joined them a long time ago, and I ha'n't regretted it, neither; wouldn't pull a bow-line a penny less. I don't like drogging, nohow. Good morning, sir," said he, putting on his hat and backing out of the door.

"I wish you'd a' taken a chance with my father, old fellow; he'd a' made you captain afore a year," said George, as he was leaving the door.

"The like o' that don't signify. I've been skipper in the West Ingie trade years ago. There isn't much difference between a nigger and a schooner's captain," said Jack, as he walked off to the Janson, preparatory to taking lodgings ashore.

That afternoon about five o'clock, a loud noise was heard on board a little schooner, of about sixty tons' register, that lay in a bend of the wharf a few lengths ahead of the Janson. Captain Thompson and his second mate were seated on a locker in the cabin, conversing upon the prospects ahead, when the noise became so loud that they ran upon deck to witness the scene.

George stood upon the capsill of the wharf, with mortification pictured in his countenance. "Well, captain, you needn't make so much noise about it; your conduct is decidedly ungentlemanly. If you don't wish to sail in father's employ, leave like a gentleman," said George, pulling up the corners of his shirt-collar.

It was the great craft that George had distended upon, and the veritable captain of the right stripe,

who promised to toe the mark according to secession principles, but made no stipulations for the nigger feed that was the cause of the excitement. The captain, a Baltimore coaster, and accustomed to good feed in his vessels at home, had been induced by large representations to take charge of the craft and run her in the Pedee trade, bringing rice to Charleston. On being told the craft was all ready for sea, he repaired on board, and, to his chagrin, found two black men for a crew, and a most ungainly old wench, seven shades blacker than Egyptian darkness, for a cook. This was imposition enough to arouse his feelings, for but one of the men knew any thing about a vessel; but on examining the stores, the reader may judge of his feelings, if he have any idea of supplying a vessel in a Northern port, when we tell him that all and singular the stores consisted of a shoulder of rusty Western bacon, a half-bushel of rice, and a jug of molasses; and this was to proceed the distance of a hundred miles. But to add to the ridiculous farce of that South Carolina notion, when he remonstrated with them, he was very indifferently told that it was what they *always* provided for their *work-people*.

"Take your little jebacca-boat and go to thunder with her," said the captain, commencing to pick up his duds.

"Why, captain, I lent you my gun, and we always expect our captains to make fresh provision of game as you run up the river," said George.

"Fresh provisions, the devil!" said the captain. "I've enough to do to mind my duty, without hunting my living as I pursue my voyage, like a hungry dog. We don't do business on your nigger allowance sys-

tem in Maryland." And here we leave him, getting one of the negroes to carry his things back to his boarding-house.

A few days after the occurrence we have narrated above, little Tommy, somewhat recovered from his cold, shipped on board a little centre-board schooner, called the Three Sisters, bound to the Edisto River for a cargo of rice. The captain, a little, stubby man, rather good looking, and well dressed, was making his maiden voyage *as captain* of a South Carolina craft. He was "*South Carolina born*," but, like many others of his kind, had been forced to seek his advancement in a distant State, through the influence of those formidable opinions which exiles the genius of the poor in South Carolina. For ten years he had sailed out of the port of Boston, had held the position of mate on two Indian voyages under the well-known Captain Nott, and had sailed with Captain Albert Brown, and received his recommendation, yet this was not enough to qualify him for the nautical ideas of a pompous South Carolinian.

Tommy got his baggage on board, and before leaving, made another attempt at the jail to see his friend Manuel. He presented himself to the jailer, and told him how much he wanted to see his old friend before he left. The jailer's orders were imperative. He was told if he came next week he would see him; that he would then be released, and allowed to occupy the cell on the second floor with the other stewards. Recognising one of the stewards that had joined with them when they enjoyed their social feelings around the festive barrel, he walked into the piazza to meet him and bid him good-by. While he stood shaking

hands with him, the poor negro* who had suffered with him in the guard-house came up and saluted him with a friendly recognition. Some two weeks had passed since the occurrence, and yet his head presented the effects of bruising, and was bandaged with a cloth. "Good young massa, do give me a fo' pence, for I'se mose starve," he said in a suppliant tone. Tommy put his hand into his pocket, and drawing out a quarter, passed it to the poor fellow,

* The name of this poor fellow was George Fairchild. After being sent to the workhouse to receive twenty blows with the paddle when he was scarcely able to stand, he was taken down from the frame and supported to the jail, where he remained several weeks, fed at a cost of eighteen cents a day. His crime was "going for whiskey at night," and the third offence; but there were a variety of pleadings in his favor. His master worked his negroes to the very last tension of their strength, and exposed their appetites to all sorts of temptation, especially those who worked in the night-gang. His master flogged him *once*, while he was in the jail, himself, giving him about forty stripes with a raw hide on the bare back: not satisfying his feelings with this, he concluded to send him to New Orleans. He had an affectionate wife and child, who were forbidden to see him. His master ordered that he should be sent to the workhouse and receive thirty-nine paddles before leaving, and on the morning he was to be shipped, his distressed wife, hearing the sad news, came to the jail; but notwithstanding the entreaties of several debtors, the jailer could not allow her to come in, but granted, as a favor, that she should speak with him through the grated door. The cries and lamentations of that poor woman, as she stood upon the outside, holding her bond-offspring in her arms, taking a last [illegible] farewell of him who was so dearly cherished and [illegible], would have melted a heart of stone. She could not [illegible] waited until he was led out to torture, when she threw her [illegible] around him, and was dragged away by a ruffian's hand.

Poor George Fairchild! We heard him moaning under the acute pain of the paddle, and saw him thrust into a cart like a dog, to be shipped as a bale of merchandise for a distant part.

and received his thanks. Leaving a message for Manuel that he would be sure to call and see him when he returned, he passed from the house of misery and proceeded to his vessel.

The captain of the schooner had been engaged by parties in Charleston, who simply acted as agents for the owners. He had been moved to return to Charleston by those feelings which are so inherent in our nature, inspiring a feeling for the place of its nativity, and recalling the early associations of childhood. Each longing fancy pointed back again, and back he came, to further fortune on his native soil. His crew, with the exception of Tommy, consisted of three good, active negroes, one of whom acted as pilot on the Edisto River. Accustomed to the provisioning of Boston ships, he had paid no attention to his supplies; for, in fact, he only took charge of the little craft as an accommodation to the agents, and with the promise of a large vessel as soon as he returned; and sailing with a fine stiff breeze, he was far outside the light when the *doctor* announced dinner. "What have you got that's good, old chap?" said he to the cook.

"Fust stripe, Massa Cap'en. A right good chance o' homony and bacon fry," returned the negro.

"Homony and what? Nothing else but that?"

"Why, massa! gracious, dat what Massa Whaley give all he cap'en, an' he tink 'em fust-rate," said the negro.

As they were the only whites on board, the captain took little Tommy into the cabin with him to sit at the same table; but there was too much truth in the negro's statement, and instead of sitting down to one of those nice dinners which are spread in Boston ships, both great and small, there, on a little piece

of pine board, swung with a preventer, was a plate of black homony covered with a few pieces of fried pork, so rank and oily as to be really repulsive to a common stomach. Beside it was an earthen mug, containing about a pint of molasses, which was bedaubed on the outside to show its quality. The captain looked at it for a minute, and then taking up the iron spoon which stood in it, and letting one or two spoonfuls drop back, said, "Old daddie, where are all your stores? Fetch them out here."

"Gih, massa! here 'em is; 'e's jus' as Massa Stoney give 'em," said the negro, drawing forth a piece of rusty and tainted bacon, weighing about fifteen pounds, and, in spots, perfectly alive with motion; about a half-bushel of corn-grits; and a small keg of molasses, with a piece of leather attached to the bung.

"Is that all?" inquired the captain peremptorily.

"Yes, massa, he all w'at 'em got now, but git more at Massa Whaley plantation wiu 'em git da."

"Throw it overboard, such stinking stuff; it'll breed pestilence on board," said the captain to the negro, (who stood holding the spoiled bacon in his hand, with the destructive macalia dropping on the floor,) at the same time applying his foot to the table, and making wreck of hog, homony, molasses, and plates.

"Gih-e-wh-ew! Massa, I trow 'im o'board, Massa Whaley scratch 'em back, sartin. He tink 'em fahr-rate. Plantation nigger on'y gits bacon twice week, Massa Cap'en," said he, picking up the wreck and carrying it upon deck, where it was devoured with great gusto by the negroes, who fully appreciated the happy God-send.

The captain had provided a little private store of crackers, cheese, segars, and a bottle of brandy, and turning to his trunk, he opened it and drew them out one by one, passing the crackers and cheese to Tommy, and imbibing a little of the deacon himself, thus satisfying the cravings of nature. Night came on; they were crossing the bar and approaching the outlet of the Edisto, which was broad in sight; but there was neither coffee nor tea on board, and no prospect of supper—nothing but a resort to the crackers and cheese remained, the stock of which had already diminished so fast, that what was left was treasured among the things too choice to be eaten without limitation. They reached the entrance, and after ascending a few miles, came to anchor under a jut of wood that formed a bend in the river. The baying of dogs during the night intimated the vicinity of a settlement near, and in the morning the captain sent one of the negroes on shore for a bottle of milk. "Massa, dat man what live yonder ha'n't much nohow, alwa's makes 'em pay seven-pence," said the negro. Sure enough it was true; notwithstanding he was a planter of some property, he made the smallest things turn to profit, and would charge vessels going up the river twelve and a half cents per bottle for milk.

The captain had spent a restless night, and found himself blotched with innumerable chinch-bites; and on examining the berths and lockers, he found them swarming in piles. Calling one of the black men, he commenced overhauling them, and drew out a perfect storehouse of rubbish, which must have been deposited there, without molestation, from the day the vessel was launched up to the present time, as varied in its

kinds as the stock of a Jew-shop, and rotten with age. About nine o'clock they got under weigh again, and proceeding about twenty miles with a fair wind and tide, they came to another point in the river, on which a concourse of men had assembled, armed to the teeth with guns, rifles, and knives. As he passed up, they were holding parley with a man and boy in a canoe a few rods from the shore. At every few minutes they would point their rifles at him, and with threatening gestures, swear vengeance against him if he attempted to land. The captain, being excited by the precarious situation of the man and his boy, and anxious to ascertain the particulars, let go his anchor and "came to" a few lengths above.

Scarcely had his anchor brought up than he was hailed from the shore by a rough-looking man, who appeared to be chief in the manœuvre, and who proved to be no less a personage than a Mr. S——k, a wealthy planter.

"Don't take that man on board of your vessel, at the peril of your life, captain. He's an abolitionist," said he, accompanying his imperative command with a very Southern rotation of oaths.

The man paddled his canoe on the outside of the vessel, and begged the captain "for God's sake to take him on board and protect him; that an excitement had been gotten up against him very unjustly, and he would explain the circumstances if he would allow him to come on board."

"Come on board," said the captain. "Let you be abolitionist or what you will, humanity will not let me see you driven out to sea in that manner; you would be swamped before you crossed the bar."

He came on board, trembling and wet, the little

boy handing up a couple of carpet-bags, and following him. No sooner had he done so, than three or four balls whizzed past the captain's head, causing him to retreat to the cabin. A few minutes intervened, and he returned to the deck.

"Lower your boat and come on shore immediately," they cried out.

The captain, not at all daunted, lowered his boat and went on shore. "Now, gentlemen, what do you want with me?" said he, when S——k stepped forward, and the following dialogue ensued:—

"Who owns that vessel, and what right have you to harbor a d——d abolitionist?"

"I don't know who owns the vessel; I know that I sail her, and the laws of God and man demand that I shall not pass a man in distress, especially upon the water. He protests that he is not, and never was an abolitionist; offers to prove it if you will hear him, and only asks that you allow him to take away his property," rejoined the captain.

"What! then you are an abolitionist yourself?"

"No, sir. I'm a Southern-born man, raised in Charleston, where my father was raised before me."

"So much, so good; but just turn that d——d scoundrel ashore as quick as seventy, or we'll tie your vessel up and report you to the Executive Committee, and stop your getting-on more freight on the Edisto."

"That I shall not do. You should have patience to investigate these things, and not allow your feelings to become so excited. If I turn him and his son adrift, I'm answerable for their lives if any accident should occur to them," rejoined the captain.

"Are you a secessionist, captain, or what are your political principles? You seem determined to protect

abolitionists. That scoundrel has been associating with a nigger, and eating at his house ever since he has been here."

"Yes, yes, and we'll be d——d if he isn't an abolitionist," joined in a dozen voices, "for he dined at Bill Webster's last Sunday on a wild-turkey. Nobody but an infernal abolitionist would dine with a nigger."

"As for politics, I never had much to do with them, and care as little about secession as I do about theology; but I like to see men act reasonably. If you want any thing more of me, you will find me at Colonel Whaley's plantation to-morrow." Thus saying, he stepped into his boat and returned on board of his vessel. Just as he was getting under-weigh again, whiz! whiz! whiz! came three shots, one in quick succession after the other, the last taking effect and piercing the crown of his hat, at which they retired out of sight. Fearing a return, he worked his vessel about two miles farther up and came to anchor on the other side of the channel, where he waited the return of the tide, and had an opportunity to put his affrighted passengers on board a schooner that was passing down, bound to Charleston.

The secret of such an outrage is told in a few words. The man was a timber-getter from the vicinity of New Bedford, Massachusetts, who, with his son, a lad about sixteen years of age, had spent several winters in the vicinity of the Edisto, getting live-oak, what he considered a laudable enterprise. He purchased the timber on the stump of the inhabitants, at a price which left him very little profit, and had also been charged an exorbitant price for every thing he got, whether labor or provisions; and so far had that

feeling of South Carolina's self-sufficiency been carried out against him in all its cold repulsiveness, that he found much more honesty and true hospitality under the roof of a poor colored man. This so enraged some of the planters, that they proclaimed against him, and that *mad-dog* cry of abolitionist was raised against him. His horse and buggy, books and papers were packed up and sent to Charleston—not, however, without some of the most important of the latter being lost. His business was destroyed, and he and his child taken by force, put into a little canoe with one or two carpet-bags, and sent adrift. In this manner they had followed him two miles down the river, he begging to be allowed the privilege of settling his business and leave respectably—they threatening to shoot him if he attempted to near the shore, or was caught in the vicinity. This was his position when the captain found him. He proceeded to Charleston, and laid his case before James L. Petigru, Esq., United States District Attorney, and, upon his advice, returned to the scene of "war on the banks of the Edisto," to arrange his business; but no sooner had he made his appearance than he was thrown into prison, and there remained when we last heard of him.

This is one of the many cases which afford matter for exciting comment for the editors of the Charleston Mercury and the Courier, and which reflect no honor on a people who thus set law and order at defiance.

CHAPTER XXVI.

A SINGULAR RECEPTION.

It was about ten o'clock on the night of the fifteenth of April when the schooner "Three Sisters" lay anchored close alongside of a dark jungle of clustering brakes that hung their luxuriant foliage upon the bosom of the stream. The captain sat upon a little box near the quarter, apparently contemplating the scene, for there was a fairy-like beauty in its dark windings, mellowed by the shadowing foliage that skirted its borders in mournful grandeur, while stars twinkled on the sombre surface.

The tide had just turned, and little Tommy, who had rolled himself up in a blanket and laid down close to the captain, suddenly arose. "Captain, did you hear that?" said he.

"Hark! there it is again," said the captain. "Go and call the men,—we must get under weigh."

It was a rustling noise among the brakes; and when little Tommy went forward to call the men, two balls came whistling over the quarter, and then a loud rustling noise indicated that persons were retreating. The captain retired to the cabin and took Tommy with him, giving orders to the negro pilot to stand to the deck, get her anchor up, and let her drift up stream with the tide, determined that if they shot any person, it should be the negroes, for whose value they would be held answerable. Thus she drifted up

the stream, and the next morning was at the creek at Colonel Whaley's plantation.

A number of ragged negroes came down to the bank in high glee at the arrival, and making sundry inquiries about corn and bacon. One old patriarchal subject cried out to the pilot, "Ah, Cesar, I 'now'd ye wah cumin'. Massa, an' young Massa Aleck, bin promis' bacon mor' deh week, gess he cum now."

"Got sum corn, but ven ye gets bacon out o' dis craf' ye kotch wesel dat a'n't got no hair on 'im," said Cesar.

The scene around was any thing but promising—disappointing to the captain's exalted ideas of Colonel Whaley's magnificent plantation. The old farm-house was a barrack-like building, dilapidated, and showing no signs of having lately furnished a job for the painter, and standing in an arena surrounded by an enclosure of rough slats. Close examination disclosed fragments of gardening in the arena, but they showed the unmistakable evidences of carelessness. At a short distance from this was a cluster of dirty-looking negro-huts, raised a few feet from the ground on palmetto piles, and strung along from them to the brink of the river were numerous half-starved cattle and hogs, the latter rooting up the sod.

It was now nearly slack water, on a high flood, and the schooner lay just above the bend of the creek. Presently a large, portly-looking man, dressed like a Yorkshire farmer, came to the bank, and in a stentorious voice ordered the captain to haul into the creek at once! The manner in which the order was given rather taxed the captain's feelings, yet he immediately set his men to work heaving up the anchor and carrying out "a line" to warp her in.

But that slow motion with which negroes execute all orders, caused some delay, and no sooner had he begun to heave on the line than the tide set strong ebb and carried him upon the lower point, where a strong eddy, made by the receding water from the creek, and the strong undertow in the river, baffled all his exertions. There she stuck, and all the warps and tow-lines of a seventy-four, hove by the combined strength of the plantation, would not have started her. When the tide left, she careened over toward the river, for there was no means at hand to shore her up.

One of the drivers went up and reported "Massa captain got 'im ship ashore," and down came Colonel Whaley, with all the pomp of seven lord mayors in his countenance. "What sort of a feller are you to command a ship? I'd whip the worst nigger on the plantation, if he couldn't do better than that. Rig a raft out and let me come o' board that vessel!" said he, accompanying his demands with a volley of vile imprecations that would have disgraced *St. Giles'*.

"Do you know who you're talking to? You mus'n't take me for a nigger, sir! I know my duty, if you don't good manners," rejoined the captain.

"Do you know who owns that ship? you impudent feller, you! Take the sails off her, immediately—at once! or I'll shoot you, by heavens!" he bawled out again.

"Why didn't you say mud-scow? Call such a thing as this a ship? I don't care who owns her, I only know it's a disgrace to sail her; but I've got the papers, and you may help yourself. When you pay me for my time, and give me something for myself and these men to eat, you may take your old jebac-

ck-boat,—but you don't put a foot aboard her till you do!"

This made the colonel rage worse. "I'll teach you a lesson how you disobey my orders. Go get my rifle, Zeke," said the colonel, turning to an old negro who stood close by. And then calling to the men on board, he ordered them to take charge of the vessel and take the sails off her at once.

"Don't you move a hand to unbend a sail, Cesar! I don't know that man ashore there. This vessel is mine until further orders from the persons who shipped me," rejoined the captain with an imperative demand to his men.

"Why, la! massa, he own em dis ere vessel, an' he shoot em sartin if we done do him; ye done know dat massa, as I does," said Cesar.

"Don't touch a hand to those sails, I command one and all of you. There's two can play at shooting, and I'll shoot you if you disobey my orders." Then turning to those on shore, he warned them that he would shoot the first nigger that attempted to make a raft to come on board. The reader will observe that the poor negroes were in a worse dilemma than the captain; goaded on the one side by a ruthless master, who claims ownership and demands the execution of his orders, while on the other extreme the hired master proclaims his right, and warns them against the peril of varying one iota from his commands. Here the clashing feelings of arbitrary men come together, which have placed many a good negro in that complex position, that he would be punished by one master for doing that which he would have been punished by the other if he had left undone.

It may be said to the colonel's credit, he did not

return, rifle in hand, nor did the captain see him afterward; but a young gentleman, a son, who represented the father, came to the bank about an hour after the occurrence, and making a lame apology for his father's temper, requested the captain to come on shore. The latter had concluded to await the return of the tide, run the vessel back to Charleston, report his reception, and deliver the vessel up to the agents; but on further consideration, there was nothing to eat on board, and what could he do? He went on shore, and held a parley with the young man, whom he found much more inclined to respect *his color*. "Your father took me for a nigger, and as such he presumed upon the dignity of his plantation. Now I know my duty, and have sailed in the finest ships and with the best masters in the country. All I want is proper respect, something to eat, what there is coming to me, and my passage paid back to Charleston by land. No! I will not even request so much as that; give me something to eat, and my passage to Charleston, and you may do what you please with the vessel, but I shall deliver the papers to nobody but the persons who shipped me. And I shall want you to see this little boy attended to, for he's quite sick now," said the captain, pointing to Tommy, and calling him to him.

"Oh yes," replied the young man, "we'll take care of the little fellow, and see him sent safely back," and took leave, promising to have another interview in the afternoon. About twelve o'clock a negro boy came to the vessel with a tin pan covered with a towel, and presenting it to Cesar, for "massa cap'en and buckra boy." Cesar brought it aft and set it upon the companion. It contained some rice,

a piece of bacon, corn-cake, and three sweet-potatoes.

"Coarse fare, but I can get along with it. Come Tommy, I guess you're hungry, as well as myself," said the captain, and they sat down, and soon demolished the feast of Southern hospitality. About five o'clock in the evening, the young man not making his appearance, the Captain sent Tommy ashore to inquire for him at the house, telling him (in order to test their feelings) that he could stop and get his supper. Tommy clambered ashore, and up the bank, wending his way to the house. The young man made his appearance, offering an apology for his delay and inattention, saying the presence of some very particular friends from Beaufort was the cause. "My father, you are aware, owns this vessel, captain!—You got a good dinner, to-day, by-the-by," said he.

"Yes, we got along with it, but could have eaten more," rejoined the captain.

"Ah! bless me, that was the nigger's fault. These niggers are such uncertain creatures, you must watch 'em over the least thing. Well now, captain, my father has sent you five dollars to pay your passage to Charleston!"

"Well, that's a small amount, but I'll try and get along with it, rather than stop here, at any rate," said the captain, taking the bill and twisting it into his pocket, and giving particular charges in regard to taking care of the boy. That night, a little after sundown, he took passage in a downward-bound coaster, bid a long good-by to the Edisto and Colonel Whaley's plantation, and arrived in Charleston the next night. On the following morning he

presented himself to the agents, who generously paid him all his demands, and expressed their regrets at the circumstance. Acting upon the smart of feeling, the captain enclosed the five-dollar bill and returned it to the sovereign Colonel Whaley.*

CHAPTER XXVII.

THE HABEAS CORPUS.

THE Captain of the Janson had settled his business, and was anxious to return home. He had done all in his power for Manuel, and notwithstanding the able exertions of the consul were combined with his, he had effected nothing to relieve him. The law was imperative, and if followed out, there was no alterna-

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* The Savannah Republican, of the 11th September, says—"We have been kindly furnished with the *particulars of* a duel which came off at Major Stark's plantation, opposite this city, yesterday morning, between Colonel F. H. Whaley, and E. E. Jenkins, of South Carolina." Another paper stated that "after a single exchange of shots, * * * * the affair terminated, but without a reconciliation." The same Colonel Whaley! Either of these journals might have given particulars more grievous, and equally as expressive of Southern life. They might have described a beautiful wife, a Northern lady, fleeing with her two children, to escape the abuses of a faithless husband—taking shelter in the Charleston Hotel, and befriended by Mr. Jenkins and another young man, whose name we shall not mention—and that famous establishment surrounded by the police on a Sabbath night, to guard its entrances—and she dragged forth, and carried back to the home of unhappiness.

tive for him, except upon the ground of his proving himself entitled to a white man's privileges. To do this would require an endless routine of law, which would increase his anxiety and suffering twofold. Mr. Grimshaw had been heard to say, that if an *habeas corpus* were sued out, he should stand upon the technicality of an act of the legislature, refuse to answer the summons or give the man up. No, he would himself stand the test upon the point of right to the *habeas corpus*, and if he was committed for refusing to deliver up the prisoner, he would take advantage of another act of the legislature, and after remaining a length of time in jail, demand his release according to the statutes. So far was Mr. Grimshaw impressed with his own important position in the matter, and of the course which he should pursue, that he several times told the prisoners that he should be a prisoner among them in a few days, to partake of the *same* fare.

Judge Withers, however, saved him the necessity of such important trouble. To those acquainted with *Judge Withers* it would be needless to dwell upon the traits of his character. To those who are not, we can say that his were feelings founded upon interest—moving in the foremost elements of secession—arbitrary, self-willed, and easily swayed by prejudice—a man known to the public and the bar for his frigidity, bound in his own opinions, and yielding neither to the wishes and principles of none—fearful of his popularity as a judge, yet devoid of those sterling principles which deep jurists bring to their aid when considering important questions, where life or liberty is at stake—a mind that would rather reinstate monarchy than spread the blessings of

a free government. What ground have we here to hope for a favorable issue?

Thus when the consul applied for the writ of *habeas corpus*, the right was denied him, notwithstanding the subject was heir-inherent to all the rights of citizenship and protection, which the laws of his own nation could clothe him with. To show how this matter was treated by the press—though we are happy to say the feelings of the mercantile community are not reflected in it—we copy the *leader* from the "*Southern Standard*," a journal published in Charleston, the editor of which professes to represent the conservative views of a diminutive minority. Here it is:—

"CHARLESTON, APRIL 23, 1852.

"*Colored Seamen and State Rights.*

"Our readers have not forgotten the correspondence which some time since took place between His Excellency Governor Means and Her British Majesty's Consul, Mr. Mathew. We published in the *Standard*, of the 5th December last, the very temperate, dignified, and well-argued report of Mr. Manyck, chairman of the special committee of the Senate, to whom had been referred the message of the Governor, transmitting the correspondence. In our issue of the 16th December, we gave to our readers the able report of Mr. McCready, on behalf of the committee of the other house, on the same subject.

"We have now to call the attention of the public to the fact, that the practical issue has been made, by which the validity of the laws in regard to colored seamen arriving in our port is to be submitted to

the judicial tribunals of the country. For ourselves we have no fears for the credit of the State in such a controversy. The right of the State to control, by her own legislation, the whole subject-matter, can, as we think, by a full discussion, be established upon a basis which, in the South at least, will never hereafter be questioned. If there be defects in the details of the regulations enacted, the consideration of them is now precluded, when the issue presented is the right of the State to act at all times in the premises.

"The writ of *habeas corpus* was applied for before Judge Withers, during the term of the court which has just closed, by the British consul, through his counsel, Mr. Petigru, in behalf of one Manuel Pereira, a colored sailor, who claims to be a Portuguese subject, articled to service on board an English brig driven into this port by stress of weather; the said Manuel Pereira being then in jail under the provisions of the act of the legislature of this State, passed in 1835, emendatory of the previous acts on the subject. Judge Withers, in compliance with the requirements of the act of 1844, refused the writ of *habeas corpus*, and notice of appeal has been given. Thus is the issue upon us.

"We have but one regret in the matter, and that is that the case made is one where the party asking his liberty has been driven into our harbor involuntarily. Great Britain, it is true, is the last power which should complain on this account, with her own example in the case of the *Enterprise* before her eyes; but we do not, we confess, like this feature of the law. We have no doubt, however, that this fact being brought to the notice of the executive, he

will interfere promptly to release the individual in the present case, provided the party petitions for the purpose, and engages at once to leave the State. But we shall see nothing of this. Mr. Manuel Pereira, like another John Wilkes, is to have settled in his person great questions of constitutional liberty. The posterity which in after times shall read of his voluntary martyrdom and heroic self-sacrifice in the cause of suffering humanity, must be somewhat better informed than Mr. Pereira himself; for we observe that his clerkly skill did not reach the point of enabling him to subscribe his name to the petition for *habeas corpus*, which is to figure so conspicuously in future history, it being more primitively witnessed by his '*mark*.'"

An appeal was taken from this refusal, and carried before the appeal court, sitting at Columbia, the capital of the State. How was this treated? Without enlisting common respect, it sustained the opinion of Judge Withers, who was one of its constituted members. Under such a state of things, where all the avenues to right and justice were clogged by a popular will that set itself above law or justice, where is the unprejudiced mind that will charge improper motives in asking justice of the highest judicial tribunal in the country.

In the year 1445, a petition was presented, or entered on the rolls of the British Parliament, from the commons of two neighboring counties, praying the abatement of a nuisance which promised fearful interruptions to the peace and quiet of their hamlets, in consequence of the number of attorneys having increased from eight to twenty-four, setting forth that attorneys were dangerous to the peace and hap-

piness of a community, and praying that there should be no more than six attorneys for each county. The king granted the petition, adding a clause which left it subject to the approval of the judges. Time works mighty contrasts. If those peaceable old commoners could have seen a picture of the nineteenth century, with its judiciary dotted upon the surface, they would certainly have put the world down as a very unhappy place. The people of Charleston might now inquire why they have so much law and so little justice?

CHAPTER XXVIII.

THE CAPTAIN'S DEPARTURE AND MANUEL'S RELEASE.

After remaining nearly three weeks in close confinement in a cell on the third story, Manuel was allowed to come down and resume his position among the stewards, in the "steward's cell." There was a sad change of faces. But one of those he left was there; and he, poor fellow, was so changed as to be but a wreck of what he was when Manuel was confined in the cell.

After little Tommy left, the Captain deposited a sum of money with the jailer to supply Manuel's wants. The jailer performed his duty faithfully, but the fund was soon exhausted, and Manuel was forced to appeal to his consul. With the care for its citizens that marks the course of that government, and the characteristic kindness of its representative in Charles-

ton, the appeal was promptly responded to. The consul attended him in person, and even provided from his own purse things necessary to make him comfortable. We could not but admire the nobleness of many acts bestowed upon this humble citizen through the consul, showing the attachment and faith of a government to its humblest subject. The question now was, would the Executive release him? Mr. Grimshaw had interposed strong objections, and made unwarrantable statements in regard to his having been abandoned by his captain, the heavy expenses incurred to maintain the man, and questioning the validity of the British consul's right to protect him. Under the effect of these representations, the prospect began to darken, and Manuel became more discontented, and anxiously awaited the result.

In this position, a petition was despatched to the Executive, asking that the man might be released, on the faith of the British Government that all expenses be paid, and he immediately sent beyond the limits of the State.

But we must return and take leave of Captain Thompson, before we receive the answer to the petition. The day fixed for his departure had arrived. He had all his papers collected, and arose early to take his accustomed walk through the market. It was a little after seven o'clock, and as he approached the singular piece of wood-work that we have described in a previous chapter as the Charleston whipping-post, he saw a crowd collected around it, and negroes running to the scene, crying out, "*Buckra gwine to get whip! buckra get 'e back scratch!*" &c. &c. He quickened his pace, and, arriving at the scene, elbowed his way through an immense crowd until he came to

where he had a fair view. Here, exposed to view, were six respectably dressed white men, to be whipped according to the laws of South Carolina, which flog in the market for petty theft. Five of them were chained together, and the other scientifically secured to the machine, with his bare back exposed, and Mr. Grumbar (dressed with his hat and sword of office to make the dignity of the punishment appropriate) laying on the stripes with a big whip, and raising on tip-toe at each blow to add force, making the flesh follow the lash. Standing around were about a dozen large constables with long-pointed tipstaffs in their hands, while the others assisted in chaining and unchaining the prisoners. The spectacle was a barbarous one, opening a wide field for reflection. It was said that this barbarous mode of punishment was kept up as an example for the negroes. It certainly is a very singular mode of inspiring respect for the laws.

He had heard much of T. Norman Gadsden, whose fame sounded for being the greatest negro-seller in the country, yet he had not seen him, though he had witnessed several negro-sales at other places. On looking over the papers after breakfast, his eye caught a flaming advertisement with "T. Norman Gadsden's sale of negroes" at the head. There were plantation negroes, coachmen, house-servants, mechanics, children of all ages, with descriptions as various as the kinds. Below the rest, and set out with a glowing delineation, was a description of a remarkably fine young sempstress, very bright and very intelligent, sold for no fault. The notice should have added an *exception*, that the owner was going to *get married*.

He repaired to the place at the time designated,

and found them selling an old plantation-negro, dressed in ragged, gray clothes, who, after a few bids, was knocked down for three hundred and fifty dollars. "We will give tip-top titles to every thing we sell here to-day; and, gentlemen, we shall now offer you the prettiest wench in town. She is too well known for me to say more," said the notorious auctioneer.

A number of the first citizens were present, and among them the Captain recognised Colonel S——, who approached and began to descant upon the sale of the woman. "It's a d——d shame to sell that girl, and that fellow ought to be hang up," said he, meaning the owner; and upon this he commenced giving a history of the poor girl.

"Where is she? Bring her along! Lord! gentlemen, her very curls are enough to start a bid of fifteen hundred," said the auctioneer.

"Go it, Gadsden, you're a trump," rejoined a number of voices.

The poor girl moved to the stand, pale and trembling, as if she was stepping upon the scaffold, and saw her executioners around her. She was very fair and beautiful—there was something even in her graceful motions that enlisted admiration. Here she stood almost motionless for a few moments.

"Gentlemen, I ought to charge all of you sevenpence a sight for looking at her," said the auctioneer. She smiled at the remark, but it was the smile of pain.

"Why don't you sell the girl, and not be dogging her feelings in this manner?" said Colonel S——.

Bids continued in rapid succession from eleven hundred up to thirteen hundred and forty. A well-known trader from New Orleans stood behind one of

the city broken, motioning him at every bid, and she was hooked down to him. We learned her history and knew the sequel.

The gentleman watched her with mingled feelings, and would fain have said, "Good God! and why are we slaves?"

The history of that unfortunate beauty may be comprehended in a few words, leaving the reader to supply details from his imagination. Her mother was a fine mulatto slave, with about a quarter Indian blood. She was the mistress of a celebrated gentleman in Charleston, who ranked among the first families, to whom she bore three beautiful children, the second of which is the one before us. Her father, although he could not acknowledge her, prized her highly, and unquestionably never intended that she should be considered a slave. Alice, for such was her name, felt the shame of her position. She knew her father, and was proud to descant upon his honor and rank, yet must either associate with negroes or *nobody*, for it would be the death of *caste* for white women, however mean, to associate with her. At the age of sixteen she became attached to a young gentleman of high standing but moderate means, and lived with him as his mistress. Her father, whose death is well known, died suddenly away from home. On administering on his estate, it proved that instead of being wealthy, as was supposed, he was insolvent, and the creditors insisting upon the children being sold. Alice was purchased by compromise with the administrator, and retained by her lord under a mortgage, the interest and premium on which he had regularly paid for more than four years. Now that he was about to get married, the excess of the mort-

gage was the best pretext in the world to get rid of her.

The Captain turned from the scene of proceedings that left deep impression upon his mind, and [illegible] afternoon took his departure for his Scottish home.

Time passed heavily at the jail, and day [illegible] Manuel awaited his fate with anxiety. At every [illegible] of the prison-bell he would spring to the door [illegible] listen, asserting that he heard the consul's voice [illegible] every passing sound. Day after day the consul would call upon him and quiet his fears, assuring him that he was safe and should not be sold as a slave. At length, on the seventeenth day of May, after nearly two months' imprisonment, the glad news was received that Manuel Pereira was not to be sold, according to the statutes, but to be released upon payment of all costs, &c. &c., and immediately sent beyond the limits of the State. We leave it to the reader's fancy to picture the scene of joy on the reception of the news in the "stewards' cell."

The consul lost no time in arranging [illegible] for him, and at five o'clock on the afternoon of [illegible] of May, 1852, Manuel Pereira, a poor, shipwrecked mariner, who, by the dispensation of an all-wise Providence, was cast upon the shores of South Carolina and imprisoned because hospitality to him was "contrary to law," was led forth, pale and emaciated, by two constables, thrust into a closely covered vehicle, and driven at full speed to the steamboat then awaiting to depart for New York. This is but a faint glimpse of the suffering to which colored strangers are subjected in the Charleston jail.*

* There were no less than sixty-nine cases of colored seamen imprisoned on this charge of "contrary to law," during the [illegible]

We conclude the bills by giving Manuel's as it stands upon the books:—

"*Contrary to law.*"

Brought by "Jamson," Capt. Thompson. } For Manuel Pereira, Colored Seaman.

To Sheriff of Charleston District.

1852, Sept.	To Arrest, $2; Register, $2,	$4.00
"	" Recog., $1.31; Constable, $1,	2.31
"	" Commitment and Discharge,	1.00
"	52 Days' Maintenance of *Manuel Pereira*, at 30 cents per day,	15.60
		$22.31

Rec' payment,

J. D——, S. C. D.
Per Chs. Kanapeaux, Clerk.

This amount is exclusive of all the long scale of law charges and attorney's fees that were incurred, and is entirely the perquisite of the sheriff.

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dar year ending on the twelfth of September, 1852. And now that abuses had become so glaring, a few gentlemen made a representation of the wretched prison regimen to His Excellency, Governor Means, who, as if just awoke from a dream that had lasted a generation, addressed a letter to the Attorney-General, dated on the seventh of September, 1852, requesting a statement in regard to the jail—how many prisoners there were confined on the twelfth day of September, under sentence and awaiting trial, the nature of offences, who committed by, and how long they had awaited trial; what the cost of the jail was, how much was paid by prisoners, and how much by the State, &c. &c. In that statement, the number of colored seamen was, for reasons *best known* to Mr. Grimshaw, kept out of the statement; so also was the difference between thirty cents and eight cents a day, paid for the ration

Now, notwithstanding that high-sounding manor about the laws of South Carolina, which every South Carolinian, in the redundance of his feelings, strives to impress you with the sovereignty of its justice, its sacred rights, and its pre-eminent reputation, we never were in a country or community where the privileges of a certain class were so much abused. Every thing is made to conserve popular favor, giving to those in influence power to do what they please with a destitute class, whether they be white or black. Official departments are turned into depots for unmanly espionage, where the most unjust schemes are practised upon those whose voices cannot be heard in their own defence. A magistrate is clothed with, or assumes a power that is almost absolute, committing them without a hearing, and leaving them to waste in jail; then releasing them before the court sits, and charging the fees to the State; or relenting the poor prisoner on receiving "black mail" for the kindness; giving one man a peace-warrant to impress another whom he knows cannot get bail; and where a man has served out the penalty of the offence for which he was committed, give a peace-warrant to his adversary that he may continue to vent his spleen upon him. In this manner, we have known a man who had served seven months' imprisonment for ex-

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for each man. The real statement showed a bounty to the sheriff of fourteen hundred and sixty-three dollars on the provisions alone—a sad premium upon misery. Now add to this a medium amount for each of these sixty-three sailors, and we have between eight and nine hundred dollars more, which, with sundry jail-fees and other cribbage-money, makes the Charleston jail a nice little appendage to the sheriff's office, and will fully account for the tenacity with which those functionaries cling to the "*old system*."

sault and battery, by an understanding between the magistrate and the plaintiff, continued in jail for several years upon a peace-warrant, issued by the magistrate from time to time, until at length he shot himself in jail. The man was a peaceable man, and of a social temperament. He had been offered the alternative of leaving the State, but he scorned to accept it. To show that we are correct in what we say respecting some of the Charleston officials, we insert an article which appeared in the Charleston Courier of Sept. 1, 1852:—

[For the Courier.]

"Many of the quiet and moral portion of our community can form no adequate conception of the extent to which those who sell liquor, and otherwise trade with our slaves, are now plying their illegal and demoralizing traffic. At no period within our recollection has it prevailed to such an alarming extent; at no period has its influence upon our slave population been more palpable or more dangerous; at no period has the municipal administration been so wilfully blind to these corrupt practices, or so lenient and forgiving when such practices are exposed. * * * *

"We have heard it intimated that when General Schnierle is a candidate for the mayoralty, they are regularly assessed for means to defray the expenses of the canvass. Instances are not wanting where amounts of money are paid monthly to General Schnierle's police as a reward for shutting their eyes and closing their lips when unlawful proceedings are in progress. We have at this moment in our possession a certificate from a citizen, sworn to before Mr. Giles, the magistrate, declaring that he, the deponent,

heard one of the city police-officers (Shadrach) make a demand for money upon one of these shop-keepers, and promised that if he would pay him five dollars at stated intervals, 'none of the police-officers would trouble him.' This affidavit can be seen, if inquired for, at this office. Thus bribery is added to guilt, and those who should enforce the laws are made auxiliaries in their violation. Said one of these slave-destroyers to us, 'General Schnierle suits us very well. I have no trouble with General Schnierle.' —remarks at once repugnant and suggestive. * * * We are told by one, that Mr. Hutchinson, when in power, fined him heavily (and, as he thought, unjustly) for selling liquor to a slave; hence he would not vote for him. An additional reason for this animosity toward Mr. Hutchinson arises from the fact that the names of offenders were always published during that gentleman's administration, while under that of General Schnierle they are screened from public view. On any Sunday evening, light may be seen in the shops of these dealers. If the passer-by will for a few moments stay his course, he will witness the ingress and egress of negroes; if he approach the door, he will hear noise as of card-playing and revelry within. And this is carried on unblushingly; is not confined to a shop here and a shop there, but may be observed throughout the city. The writer of this article, some Sundays since, witnessed from his upper window a scene of revelry and gambling in one of these drinking-shops, which will scarcely be credited. A party of negroes were seen around a card-table, with money beside them, engaged in betting; glasses of liquor were on the table, from which they ever and anon regaled themselves with all the *nonchalance*

and affected mannerisms of the most fashionable blades of the *beau monde*.

"This may not be a 'desecration of the Sabbath' by the municipal authorities themselves, but they are assuredly responsible for its profanation. Appointed to guard the public morals, they are assuredly censurable if licentiousness is suffered to run its wild career unnoticed and unchecked. We do not ask to be believed. We would prefer to have skeptical rather than credulous readers. We should prefer that all would arise from the perusal of this article in doubt, and determine to examine for themselves. We believe in the strength and sufficiency of ocular proof, and court investigation. * * *

"We are abundantly repaid if we succeed in arousing public attention to the alarming and dangerous condition of our city. * * * Let inquiry be entered into. We boldly challenge it. 'It will lead to other and more astonishing developments than those we have revealed.

(Signed) "A RESPONSIBLE CITIZEN."

CHAPTER XXIX.

MANUEL'S ARRIVAL IN NEW YORK.

When we left Manuel, he was being hurried on board the steamship, as if he was a bale of infected goods. Through the kindness of the clerk in the consul's office, he was provided with a little box of stores to supply his wants on the passage, as it was known that he would have to "go forward." He soon found himself gliding over Charleston bar, and took a last look of what to him had been the city of injustice. On the afternoon of the second day, he was sitting upon the forward deck eating an orange that had been given to him by the steward of the ship, probably as a token of sympathy for his sickly appearance, when a number of passengers, acting upon the information of the clerk of the ship, gathered around him. One gentleman from Philadelphia, who seemed to take more interest in the man than any other of the passengers, expressed his indignation in no measured terms, that such a man should be imprisoned as a slave. "Take care," said a bystander, "there's a good many Southerners on board."

"I don't care if every slaveholder in the South was on board, holding a knife at my throat; I'm on the broad ocean, where God spreads the breeze of freedom that man cannot enslave," said he, sitting down beside Manuel, and getting him to recount the

details of this shipwreck and imprisonment. The number increased around him, and all listened with attention until he had concluded. One of the spectators asked him if he would have something good to eat? but he declined, pulling out the little box that the consul had sent him, and, opening it before them, showed it to be well stored with little delicacies.

The Philadelphian motioned that they take up a subscription for him, and almost simultaneously took his hat off and began to pass it around; but Manuel, mistaking the motive, told them that he never yet sought charity—that the consul had paid him his wages, and he had money enough to get home. But if he did not accept their contributions, he had their sympathies and their good wishes, which were more prized by him, because they were contrasted with the cold hospitality he had suffered in Charleston.

On the morning of the twentieth he arrived in New York. Here things wore a different aspect. There were no constables fettering him with irons, aggravating his feelings, and dragging him to a miserable cell overrun with vermin. He had no scientific ordeal of the statutes to pass through, requiring the measure of his form and features; and he was a man again, with life and liberty, and the dark dread of the oppressor's power far from him. He went to his comfortable boarding-house, and laid his weary limbs down to rest, thanking God that he could now sleep in peace, and awake to liberty. His system was so reduced that he was unable to do duty, although he was anxious to proceed on his way to join the old owners, but wanted to work his way in the capacity of steward. Thus he remained in New York more than four weeks, gaining vigor and

strength, and with a lingering hope that he should meet his little companion.

On the twenty-first of June, being well recruited, he sailed for Liverpool, and after a remarkably calm passage of thirty-four days, arrived in the Mersey; and in forty-eight hours more the ship was safely within the Princess' Dock, and all hands ready to go on shore. In the same dock was a ship taking in cargo and passengers for Charleston, South Carolina. Manuel went on board, and found, in conversation with the steward, that she had sailed from that port on the 23d of May. A short conversation disclosed that they had been old shipmates from the Thames, on board of the Indiaman, Lord William Bentick, and were on board of that ship when an unfortunate circumstance occurred to her on entering a British North American port, many years ago. Here they sat recounting the many adventures through which they had passed since that period, the ships they had sailed in, the sufferings they had gone through, and the narrow escapes they had had for their lives, until past midnight. Manuel wound up by giving a detailed account of his sufferings in Charleston.

"What!" said the steward of the Charleston ship, "then you must have known our cabin-boy, he belonged to the same vessel!"

"What was his name?" inquired Manuel.

"Tommy Ward! and as nice a little fellow as ever served the cabin; poor little fellow, we could hardly get him across."

"Gracious! that's my Tommy," said Manuel. Where is he? He loves me as he does his life, and would run to me as a child would to its father. Little

as he is, he has been a friend through my severest trials, and a companion in my pleasures."

"Ah, poor child! I'm afraid you wouldn't know him now. He has suffered much since you saw him."

"Is he not aboard? Where can I find him?" inquired Manuel, hastily.

"No, he is not aboard; he is at the hospital in Dennison street. Go there to-morrow, and you will find him."

CHAPTER XXX.

THE SCENE OF ANGUISH.

We are sorry, that having traced the details of our narrative as they occurred, without adding for dramatic effect, we are constrained to conclude with a picture at once painful and harrowing to the feelings. We do this that we may be sustained by records, in what we have stated, rather than give one of those more popular conclusions which restore happiness and relieve the reader's feelings.

Manuel retired to his berth, full of meditation. His little companion was before him, pictured in his child-like innocence and playfulness. He saw him in the youthful zeal and freshness of the night when he brought the well-laden haversack into his dreary cell, and which kind act was repaid by a night of suffering in the guard-house. There was too much of life and buoyancy in the picture his imagination called up, to reconcile the belief that any thing serious had

befallen him; and yet the man spoke in a manner that aroused the intensity of his feelings. It was a whisper full of fearful forebodings, and filled his mind with anxious expectation. He could not sleep—the anxiety of his feelings had awakened a nervous restlessness that awaited the return of morning with impatience.

Morning came. He proceeded to the hospital and rang the bell. An aged gentleman came to the door, and to his questions about Tommy being there, answered in the affirmative, and called an attendant to show him the ward in which the little sufferer lay. He followed the attendant, and after ascending several flights of stairs and following a dark, narrow passage nearly to its end, was shown into a small, single-room on the right. The result was suggestive in the very atmosphere, which had a singular effect upon the senses. The room, newly-whitewashed, was darkened by a green curtain tacked over the frame of the window. Standing near the window were two wooden-stools and a little table, upon which burned the faint light of a small taper, arranged in a cup of oil, and shedding its feeble flickers on the evidences of a sick-chamber. There, on a little, narrow cot, lay the death-like form of his once joyous companion, with the old nurse sitting beside him, watching his last pulsation. Her arm encircled his head, while his raven locks curled over his forehead, and shadowed the beauty of innocence even in death.

"Is he there? is he there?" inquired Manuel in a low tone. At the same time a low, gurgling noise sounded in his ears. The nurse started to her feet as if to inquire for what he came. "He is my companion—my companion," said Manuel.

It was enough. The woman recognised the object of the little sufferer's anxiety. "Ah! it is Manuel. How often he has called that name for the last week!" said she.

He ran to the bedside and grasped his little fleshless hand as it lay upon the white sheet, bathing his cold brow with kisses of grief. Life was gone—the spirit had winged its way to the God who gave it. Thus closed the life of poor Tommy Ward. He died as one resting in a calm sleep, far from the boisterous sound of the ocean's tempest, with God's love to shield his spirit in another and brighter world.

CONCLUSION.

In a preceding chapter, we left the poor boy on the plantation of Colonel Whaley, affected by a pulmonary disease, the seeds of which were planted on the night he was confined in the guard-house, and the signs of gradual decay evinced their symptoms. After Captain Williams—for such was the name of the captain of the Three Sisters—left the plantation, no person appeared to care for him, and on the second day he was attacked with a fever, and sent to one of the negro cabins, where an old mulatto woman took care of him and nursed him as well as her scanty means would admit. The fever continued for seven days, when he became convalescent and able to walk out; but feeling that he was an incumbrance to those around him, he packed his clothes into a little bundle and started for Charleston on foot. He reached that city after four days' travelling over a heavy, sandy road, subsisting upon the charity of poor negroes,

whom he found much more ready to supply his wants than the opulent planters. One night he was compelled to make a pillow of his little bundle, and lay down in a corn-shed, where the planter, aroused by the noise of his dogs, which were confined in a kennel, came with a lantern and two negroes and discovered him. At first he ordered him off, and threatened to set the dogs upon him if he did not instantly comply with the order; but his miserable appearance affected the planter, and before he had gone twenty rods one of the negroes overtook him, and said his master had sent him to bring him back. He returned, and the negro made him a coarse bed in his cabin, and gave him some homony and milk.

His hopes to see Manuel had buoyed him up through every fatigue, but when he arrived, and was informed at the jail that Manuel had left three days before, his disappointment was extreme. A few days after he shipped as cabin-boy on board a ship ready for sea and bound to Liverpool. Scarcely half-way across, he was compelled to resign himself to the sick-list. The disease had struck deep into his system, and was rapidly wasting him away. The sailors, one by one in turns, watched over him with tenderness and care. As soon as the ship arrived, he was sent to the hospital, and there he breathed his last as Manuel entered the sick-chamber. We leave Manuel and a few of his shipmates following his remains to the last resting-place of man.

APPENDIX.

SINCE the foregoing was written, Governor Means, in his message to the Legislature of South Carolina, refers to the laws under which "colored seamen" are imprisoned. We make the subjoined extract, showing that he insists upon its being continued in force, on the ground of "self-preservation"—a right which ship-owners will please regard for the protection of their own interests:—

"I feel it my duty to call your attention to certain proceedings which have grown out of the enforcement of that law of our State which requires the Sheriff of Charleston to seize and imprison colored seamen who are brought to that port. You will remember that the British Consul addressed a communication to the legislature in December, 1850, on the subject of a modification of this law. A committee was appointed by the House and Senate to report upon it at the next session of the legislature. These committees reported adverse to any modification. On the 24th March, 1852, Manuel Pereira was imprisoned in accordance with the law alluded to. The vessel in which he sailed was driven into the port of Charleston in distress. This was looked upon as a favorable case upon which to make an issue, as so strong an element of sympathy was connected with it. Accordingly, a motion was made before Judge Withers for a writ of '*habeas corpus*,' which was refused by him. These proceedings were instituted by the British Consul, it is said, under instructions from his government, to test the constitutionality of the Act. I think it here proper to state, that

Pereira was at perfect liberty to depart at any moment that he could get a vessel to transport him beyond the limits of the State. In truth, in consideration of the fact that his coming into the State was involuntary, the Sheriff of Charleston, with his characteristic kindness, procured for him a place in a ship about to sail for Liverpool. Early in April, Pereira was actually released, and on his way to the ship, having himself [illegible] the shipping [illegible], when, by interposition of the British Consul, he was again consigned to the custody of the sheriff. A few days after this, the British Consul insisted no longer on his detention, but voluntarily paid his passage to New York. This was looked upon as an abandonment of that case. The statement of Mr. Yates, together with the letter of the British Consul, are herewith transmitted.

"While these proceedings were pending, the Sheriff of Charleston had my instructions not to give up the prisoner, even if a writ of *habeas corpus* had been granted. I considered that the 'Act of 1844,' entitled, 'An Act more effectually to prevent negroes and other persons of color from entering into this State, and for other purposes,' made it my duty to do so.

"On the 19th May, Reuben Roberts, a colored seaman, a native of Nassau, arrived in the steamer Clyde, from Baracoa. The Sheriff of Charleston, in conformity with the law of the State, which has been in force since 1823, arrested and lodged him in the district jail, where he was detained until the 26th of May, when, the Clyde being ready to sail, Roberts was put on board, and sailed the same day.

"On the 9th of June, a writ in trespass, for assault and false imprisonment, from the Federal Court, was served upon Sheriff Yates, laying the damage at $4000.

"The Act of 1844, I take it, was intended to prevent all interference on the part of any power on the face of the earth, with the execution of this police regulation, which is so essential to the peace and safety of our community. Had the legislature which passed it ever dreamed that the sheriff was to be subjected to the annoyance of being dragged before the Federal Court for doing his duty under a law of the State, I am sure it would have provided for his protection. As no such provision has been made for so unexpected

a contingency, I recommend that you amend this Act of 1844, that it may meet any case that may arise.

"It is certainly wrong to tolerate this interference with our laws enacted for the protection of our institutions. In the general distribution of power between the Federal and State Governments, the right to make their own police regulations was clearly reserved to the States. In fact, it is nothing else nor less than the right of self-preservation, a right which is above all constitutions, and above all laws, and one which never was, nor never will be, abandoned by a people who are worthy to be free. It is a right which has never yet been attempted to be denied to any people, except to us.

"The complaint against this law is very strange, and the attempt to bring us in conflict with the General Government on account of it, is still more remarkable; when, so far from its being at variance with the laws of the United States, it is only requiring the State authorities to enforce an Act of Congress, approved February 28th, 1803, entitled, 'An Act to prevent the importation of certain persons into certain States, where, by the laws thereof, their importation is prohibited.' By referring to this Act, you will see that the plaintiff in the action alluded to was prohibited by it from entering into this State. I deem it unnecessary, however, to enter fully into the argument. If any doubt should be entertained by you, as to its constitutionality, I beg leave to refer to the able opinion of the Hon. J. McPherson Berrien, delivered at the time he was Attorney-General of the United States, which I have read to you.

"On the subject of the repeal of this law, I am free to say, that when Her B. M.'s Government, through its consul, made a respectful request to our legislature to that effect, I was anxious that it should be made. It was with pleasure that I transmitted the first communication to the last legislature. I had not made a recommendation of its modification a matter of doubt in my first message, but that I thought it indelicate to do so, as the matter was already before the legislature, and committees had been appointed to report upon it. Another reason for the neglect of this recommendation, was the then excited state of party politics, which might have precluded the possibility of a calm consideration of the subject. But for the proceedings instituted

in the premises, I would even now recommend a modification of the law, so as to require captains to confine their colored seamen to their vessels, and to prevent their landing under heavy penalties. For while I think the State has a perfect right to pass whatever laws on this subject it may deem necessary for its safety, yet the spirit of the age requires that while they should be so formed as to be adequate to our protection, they should be at the same time as little offensive as possible to other nations with whom we have friendly relations. But since an attempt has been made to defy our laws, and bring us in conflict with the Federal Government, on a subject upon which we are so justly sensitive, our own self-respect demands that we should not abate one jot or tittle of that law, which was enacted to protect us from the influence of ignorant incendiaries."

We are under many obligations to *Governor Means* for his remarks upon this subject. We esteem his character too highly to entertain an idea that he would knowingly make an incorrect statement; but, with a knowledge of the facts, we can assure him that he was misled by those whom he depended upon for information. And also, though his name deserves to stand pre-eminent among the good men of Carolina, for recurring to that frightful state of things which exists in the Charleston prison, that he did not receive a correct statement in regard to it. In this want, his remarks lose much of their value. Subjects and grievances exist there which he should know most of, and yet he knows least, because he intrusts them to the *caretakers*, who make abuses their medium of profit.

Under the influence of that exceedingly suspicious, and yet exceedingly credulous characteristic of a people, few know the power that is working beneath the *sunshine* of South Carolina, and those who do, stand upon that slave-worn ostentation which considers it beneath notice.

We have no interest nor feeling beyond that of humanity, and a right to expose the mendacity of those who have

power to exercise it over the prisoners in Charleston. That mendacity has existed too long for the honor of this community, and for the feelings of those who have suffered under it.

It may be true that this case was considered a favorable one to try the issue upon, but no elements of sympathy were sought by the consul. That functionary to whom the Governor has attributed "characteristic kindness," said, in our presence, and we have the testimony of others to confirm what we say, that if Judge Withers had granted the *habeas corpus*, he would not have given up the prisoner, but rather gone to jail and suffered the same regimen with the prisoners. Had he tried the accommodations, he would have found the "profits" more than necessary to appease common hunger.

The Governor says, "Pereira was at liberty to depart at any moment that he could get a vessel to transport him beyond the limits of the State." How are we to reconcile this with the following sentence, which appears in the next paragraph:—"While these proceedings were pending," (*meaning the action instituted by the consul to release the prisoner*,) "the sheriff of Charleston had my instructions not to give up the prisoner, even if a writ of *habeas corpus* had been granted?" According to this, the sheriff assumed a power independent of and above the Governor's prerogative. We have attempted to picture the force of this in our work, and to show that there are official abuses cloaked by an *honorable dishonesty*, which dignifies the business of the local *factor* and *vender* of human property, and which should be stayed by the power of the Executive.

The singular fact presents itself, that while Judge Withers was deliberating upon the question of granting the "*habeas corpus*," the proceedings pending, and the Governor's instructions to the contrary before him, the sheriff takes it upon himself to smuggle the prisoner out of port. Now

what was the object of this secret and concerted movement? Was it "kindness" on the part of that functionary, who has grasped every pretence to enforce this law? We think not. The reader will not require any extended comments from us to explain the motive; yet we witnessed it, and cannot leave it without a few remarks.

It is well known that it has been the aim of that functionary, whose "*characteristic kindness*" has not failed to escape the Governor's notice, to thwart the consul in all his proceedings. In this instance, he engaged the services of a "shipping master" as a pretext, and with him was about to send the man away when his presence was essential to test his right to the *habeas corpus*, and at this very time, more than two months wages, due him from the owners, lay in the hands of the consul, ready to be paid on his release.

The nefarious design speaks for itself.

The consul was informed of the proceeding, and very properly refused to submit to such a violation of authority, intended to annul his proceedings. He preferred to await the "*test*," demanding the prisoner's release through the proper authorities. That release, instead of being "a few days after this," as the message sets forth, was not effected until the fifteenth of May.

Let the Governor institute an inquiry into the treatment of these men by the officials, and the prison regimen, and he will find the truth of what we have said. Public opinion will not credit his award of "characteristic kindness" to those who set up a paltry pretext as an apology for their wrong-doing.

If men are to be imprisoned upon this singular *construction* of law, (which is no less than arming the fears of South Carolina,) is it any more than just to ask that she should pay for it, instead of imposing it upon innocent persons? Or, to say the least, to make such comfortable provision for

them as is made in the port of Savannah, and give them what they *pay* for, instead of charging thirty cents a day for their board, and making twenty-two of that profit?

Had the Governor referred to the "*characteristic kindness*" of the jailer, his remarks would have been bestowed upon a worthy man, who has been a father to those unfortunates who chanced within the turn of his key.

In another part of his message, commenting upon the existence of disgraceful criminal laws, the management and wretched state of prisons, he says, "The attorney-general, at my request, has drawn up a report on the subject of prisons and prison discipline." Now, if such were the facts, the reports would be very imperfect to be drawn up by one who never visits the prisons.

We are well aware that he called for this report, and further, that the attorney-general, in a letter to the sheriff, (of which we have a copy,) propounded numerous questions in regard to the jail, calling for a statement in full, particularly the amount of fees paid to certain functionaries; those charged to the State, and the average number of prisoners per month, from Sept. 1851, to Sept. 1852, &c. &c. That letter was transmitted to the jailer—a man whose character and integrity is well known, and above reproach in Charleston—with a request that he would make out his report. He drew up his report in accordance with the calendar and the facts, but that report was not submitted. Why was it not submitted? Simply because it showed the profit of starving men in South Carolina prisons.

We have the evidence in our possession, and can show the Executive that he has been misled. We only ask him to call for the *original* statement, made out in the jailer's handwriting, and compare it with the calendar; and when he has done that, let us ask, Why the average of prisoners per month does not correspond? and why the enormous amount of fees accruing from upward of *fifty* "colored

seamen," imprisoned during the year, and entered upon the calendar "*contrary to law*," was not included?

It is a very unhealthy state of things, to say the least; but as the sheriff considers it his own, perhaps we have no right to meddle with it.

All this clamor about the bad influence of "colored seamen" is kept up by a set of mendicant officials who harvest upon the fees, and falls to naught, when, at certain hours of the day during their imprisonment, they are allowed to associate with "bad niggers," committed for criminal offences and sale. If their presence is "dangerous," it certainly would be more dangerous in its connection with criminals of the *feared* class.

Take away the fees—the mercantile community will not murmur, and the official *gentry* will neither abuse nor trouble themselves about enforcing the law to imprison *freemen*.

THE END.